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Friday
February 21, 1992

Briefing on How To Use the Federal Register
For information on a briefing in Washington, DC, see
announcement on the inside cover of this issue.



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THE FEDERAL REGISTER

WHAT IT IS AND HOW TO USE IT

- FOR:** Any person who uses the Federal Register and Code of Federal Regulations.
- WHO:** The Office of the Federal Register.
- WHAT:** Free public briefings (approximately 3 hours) to present:
1. The regulatory process, with a focus on the Federal Register system and the public's role in the development of regulations.
 2. The relationship between the Federal Register and Code of Federal Regulations.
 3. The important elements of typical Federal Register documents.
 4. An introduction to the finding aids of the FR/CFR system.
- WHY:** To provide the public with access to information necessary to research Federal agency regulations which directly affect them. There will be no discussion of specific agency regulations.

WASHINGTON, DC

- WHEN:** February 28, at 9:00 a.m.
- WHERE:** Office of the Federal Register,
First Floor Conference Room,
1100 L Street NW., Washington, DC.
- RESERVATIONS:** 202-523-5240.
- DIRECTIONS:** North on 11th Street from
Metro Center to corner
of 11th and L Streets

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Rules and Regulations

Federal Register

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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

8 CFR Parts 103 and 299

(INS No. 1444-92)

RIN 1115-AC 99

Fees for New Processes Established by the Immigration Act of 1990, and Adjustments in Fees Due to Form Consolidation

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Final rule.

SUMMARY: This rule amends the existing fee schedule for the Immigration and Naturalization Service (the Service) to recover costs associated with new application and petition processes created by the Immigration Act of 1990 (IMMACT). This rule also modifies the fee schedule for several applications and petitions which have been merged together, and updates the listing of forms. These changes are necessary to place the financial burden of providing special services and benefits which do not accrue to the general public on the recipients of these special services and benefits.

EFFECTIVE DATE: This rule is effective February 21, 1992.

FOR FURTHER INFORMATION CONTACT: Charles S. Thomason, Systems Accountant, Financial Policy and Special Projects Section, Immigration and Naturalization Service, 425 I Street, NW., room 6307, Washington, DC 20536, telephone (202) 376-2804.

SUPPLEMENTARY INFORMATION: In 1990, the Immigration and Naturalization Service began a comprehensive revision of the various application and petition forms used by the public to apply for immigration benefits. One of the

principal objectives of the forms improvement project was to consolidate application forms where possible and revise the forms to ensure that only the minimum necessary information burden was imposed on the general public.

This project was expanded last fall to include the revisions necessary to implement the new immigration benefits and processes created by the Immigration Act of 1990.

As new and revised forms were developed, the Service published them in the Federal Register. This was done so the public could view, consider, and comment on the proposed major revisions and any related impacts. The Service also published a fee impact statement when the proposed restructuring or inclusion of new IMMACT processes affected the fee for a process. This explanation was published with the form so the public could consider the reasons for any new fee or any fee adjustment in the context of the new form and accompanying instructions.

The proposed fee adjustments were based upon a review by the Service of its policies and practices for user charges, a review of costs and fees, the principles of user charges prescribed by the Congress at 31 U.S.C. 9701, and the guidelines of the Office of Management and Budget as published at 5 CFR 1320.

The following forms were among those published in the Federal Register in this manner:

- On May 3, 1991, the Service published, at 56 FR 20447, the proposed revision of Form I-526, Immigrant Petition by Alien Entrepreneur, which was extensively revised to be used to apply for benefits pursuant to the new conditional immigrant investor program created by IMMACT.
- On August 19, 1991, the Service published, at 56 FR 41133, the proposed revision of Form I-360, Petition for Amerasian, Widow(er) or Special Immigrant, which was extensively revised to incorporate a number of new processes created by IMMACT.
- On October 4, 1991 the Service published, at 56 FR 50350, the new Form I-824, created to structure the process of requesting various actions on applications or petitions after they have already been approved. On that same date, the Service published the proposed revision to Form I-129,

Petition for a Nonimmigrant Worker, which was extensively revised to be used to apply for several new nonimmigrant classifications based on employment which were created by IMMACT, as well as to integrate the extension of stay and change of status for nonimmigrant workers onto the petition.

—On October 9, 1991, at 56 FR 50929, the Service published the new Form I-539, which was extensively revised to combine the previous extension of stay and change of nonimmigrant status applications.

—On October 30, 1991, the Service published, at 56 FR 55931, the revised Form I-751, which merged the prior Forms I-751 and I-752 and also revised the form to reflect new conditional resident processes created by IMMACT.

The Service received a small number of comments on the layout of these forms and on some of the questions asked on the forms. Minor changes were made based on these comments, and these forms were subsequently approved by the Office of Management and Budget. As indicated when the proposed forms were released, the Service also revised the instructions about eligibility standards and initial evidence requirements on the forms to coincide with the final rules.

The Service also received a number of comments on several of the forms regarding the fee adjustments. The following is a discussion of these concerns and the changes that were made prior to approval by the Office of Management and Budget.

Form I-129

A number of commenters questioned the Service's imposition of a \$10 fee for additional workers included in a Form I-129 petition for nonimmigrant workers outside the United States.

As indicated in the fee impact statement on the Form I-129, there are several reasons for the new, incidental per person charge. There are significant additional costs associated with the processing of petitions for more than one person. Information about each worker must be entered into the Service's case automated tracking and processing system. At the adjudicative stage, the qualifications of each worker must be reviewed, and in fact

procedures allow for partial approvals so eligible workers are not denied merely because they have been included in a petition along with ineligible workers. As a result, the Service may issue an approval for certain workers and a denial for others in the same petition.

Most costs created by allowing multiple workers on a petition were reflected in the prior across-the-board fee. However, a number of changes warrant the new \$10 fee for each additional worker.

First, the provisions of IMMACT require a more detailed review of the qualifications of each individual worker. In many previous cases, such as those involving entertainment groups, the Service was more concerned about a group's qualifications.

In addition, the Service is changing its processing systems to meet employer requests that it not require the original Form I-94, Nonimmigrant Arrival-Departure Record, for each employee who is in the United States. While this will significantly streamline the process from the employer's perspective, it will mean entering significantly more data about each worker into our computerized system, and later generating notices naming each approved worker.

Since most of the prior costs associated with reviewing petitions for multiple workers were packaged in the single fee, the Service proposed adding a fee of \$10 per additional worker to be included in the petition. This additional fee will cover the additional review mandated as a result of IMMACT and the additional data entry and notice generation costs created by the processing changes discussed above, as well as other processing changes which are required to meet IMMACT-mandated processing timetables.

This additional charge is an incidental amount compared with the cost of transportation, salaries, and other costs associated with bringing large groups of workers into the U.S. from abroad. However, the Service, recognizing that this is a new additional cost, balanced the overall effect by significantly reducing the cost of extension applications for large groups of workers.

Form I-539

Several commenters questioned the change in process that would require that the dependents of a nonimmigrant worker file a separate Form I-539 application for extension of stay instead of being included in the worker's own application, and the resultant impact on filing fees.

As previously indicated, the Service merged the classification, extension of stay, and change of status processes for workers onto one petition (Form I-129) in order to streamline the process for employers. The Service also allows groups of workers to be included in a single petition. Procedurally, it would have been impossible to merge all these processes together and also continue to include dependents in the petition. Placing dependents onto a separate form also allows the Service to deal directly with the employer on the questions of employment, rather than dealing with the employer through the worker who filed the application.

The merger of these processes means the employer will now apply for any required extension of stay where status is based on employment. This is more appropriate since the employee's status is based on the offer of employment. This exchange allows the Service to deal directly with the employer, rather than having the employee act as an intermediary. The transmittal of information directly to the employer about extensions and changes of status also provides the employer with information necessary to ensure that it is complying with relevant laws relating to the employment of foreign workers. Otherwise, the process remains the same.

As a result, dependents will be required to file a Form I-539 to extend or change their nonimmigrant status. There is a distinct fee for this process. However, after further cost analysis, the Service has adjusted the co-applicant fee from \$50 to \$10. This equals the fee charged per additional worker on the new Form I-129.

One commenter also referred to the manner in which the Service was proposing to change its processes to require a separate Form I-529 application for a worker's family as a "back door fee increase" contrary to the Administrative Procedures Act.

The Service's proposal is not a "back door fee increase." The Service fully complied with the Administrative Procedures Act in terms of the sequence of notification. The Service published each of the new application and petition forms to give the public an opportunity to review and comment on the forms. Where a consolidation of various activities, or new IMMACT requirements, had a fee impact, the Service published a fee impact statement with the form that described the reasons for the change in detail. This was done to allow the public to view the proposed fee change in the context of the new form and instructions so they could consider the fee adjustment in the

context of the proposed process, rather than merely reading about a proposed fee change out of context. The comments received about the fees illustrate that the process had the intended effect.

In accordance with 5 U.S.C. 605(b), the Commissioner of the Immigration and Naturalization Service certifies that this rule will not have a significant adverse economic impact on a substantial number of small entities. This rule is not considered to be a major rule within the meaning of section 1(b) of Executive Order 12291, nor does this rule have Federalism implications warranting the preparation of a Federal Assessment in accordance with Executive Order 12612.

The Service's implementation of this rule as a final rule is based on the "good cause" exception found at 5 U.S.C. 553(d). The reasons and necessity for immediate implementation of this final rule are as follows: The public has already had the opportunity to view and comment to the proposed forms and related fees when copies of the proposed forms, and related fee impact statements, were published in the **Federal Register**.

The information collection requirements contained in this rule have been cleared by the Office of Management and Budget under the provisions of the Paperwork Reduction Act.

List of Subjects

8 CFR Part 103

Administrative practice and procedures, Archives and records, Authority delegations (Government agencies), Fees, Forms, Freedom of information, Privacy, Reporting and recordkeeping requirements, Surety bonds.

8 CFR Part 299

Immigration, Reporting and recordkeeping requirements.

Accordingly, chapter I of title 8 of the Code of Federal Regulations is amended as follows:

PART 103—POWERS AND DUTIES OF SERVICE OFFICERS; AVAILABILITY OF SERVICE RECORDS

1. The authority citation for part 103 continues to read as follows:

Authority: 5 U.S.C. 552, 552a; 8 U.S.C. 1101, 1103, 1201, 1304, 1356; 31 U.S.C. 9701; E.O. 12356, 47 FR 14874, 15557, 3 CFR, 1982 Comp., p. 166; 8 CFR part 2.

2. In § 103.7, paragraph (b)(1) is amended by revising the entries for Forms I-539 and I-751, and by adding in proper numerical sequence, Forms I-129,

I-360, I-528, and I-824 to the list of forms, to read as follows:

§ 103.7 Fees.

* * * * *

(b) * * *

(1) * * *

Form I-129. For filing a petition for a nonimmigrant worker—\$70.00 plus:
—\$10.00 per worker if you are requesting consulate or Port of Entry (POE) notification for visa issuance or admission; or
—\$80.00 per worker if requesting a change of status; or
—\$50.00 per worker if requesting an extension of stay.

* * * * *
Form I-360. For filing a petition for an Amerasian, Widow(er), or Special Immigrant—\$75.00, except that there is no fee for a petition seeking classification as an Amerasian.

* * * * *
Form I-526. For filing a petition for an alien entrepreneur—\$140.00.

* * * * *
Form I-539. For filing an application to extend or change nonimmigrant status—\$70.00 plus \$10.00 per co-applicant.

* * * * *
Form I-751. For filing an application to remove the conditions on residence which is based on marriage—\$75.00.

* * * * *
Form I-824. For filing for action on an approved application or petition—\$30.00.

PART 299—IMMIGRATION FORMS

4. The authority citation for part 299 continues to read as follows:

Authority: 8 U.S.C. 1101, 1103, 8 CFR part 2.

5. Section 299.1 is amended by revising the entries for Forms I-90, I-102, I-129S, I-140, I-360, I-528, and I-539, and by adding Forms I-94W, I-129, I-751, and I-824 in the proper numerical sequence to the list of forms to read as follows:

§ 299.1 Prescribed forms.

* * * * *

I-90 (10-01-91)—Application to Replace Alien Registration Card.

* * * * *
I-94W (05-29-91)—Nonimmigrant Visa Waiver Arrival/Departure Form.

* * * * *
I-102 (10-01-91)—Application for Replacement/Initial Nonimmigrant Arrival-Departure Document.

* * * * *
I-129 (12-19-91)—Petition for a Nonimmigrant Worker.

* * * * *
I-129S (12-19-91)—Nonimmigrant Petition based on Blanket L Petition.

I-140 (12-02-91)—Immigrant Petition for Alien Worker.

* * * * *

I-360 (09-19-91)—Petition for Amerasian, Widow(er), or Special Immigrant.

* * * * *

I-526 (12-02-91)—Immigrant Petition by Alien Entrepreneur.

* * * * *

I-539 (12-02-91)—Application to Extend/Change Nonimmigrant Status.

* * * * *

I-751 (12-04-91)—Petition to Remove Conditions on Residence.

* * * * *

I-824 (10-01-91)—Application for Action on an Approved Application or Petition.

* * * * *

6. Section 299.5 is amended by revising the entries for Forms I-90, I-102, I-129S, I-360, I-526, I-539, and I-751 and by adding, in proper numerical sequence, Forms I-94W, I-129, and I-824 to the list of forms, to read as follows:

§ 299.5 Display of control numbers.

* * * * *

INS form No.	INS form title	Currently assigned OMB control No.
I-90.....	Application to Replace Alien Registration Card.	1115-0004
I-94W....	Nonimmigrant Arrival-Departure Document for the Visa Waiver Program.	1115-0148
I-102.....	Application for Replacement/Initial Nonimmigrant Arrival-Departure Document.	1115-0079
I-129.....	Petition for a Nonimmigrant Worker.	1115-0168
I-129S...	Nonimmigrant Petition based on Blanket L Petition.	1115-0128
I-360.....	Petition for Amerasian, Widow(er), or Special immigrant.	1115-0117
I-526.....	Immigrant Petition by Alien Entrepreneur	1115-0081
I-539.....	Application to Extend/Change Status.	1115-0093
I-751.....	Petition to Remove Conditions on Residence.	1115-0145
I-824.....	Application for Action on an Approved Application or Petition.	1115-0176

Dated: January 28, 1992.

Gene McNary,

Commissioner, Immigration and Naturalization Service.

[FR Doc. 92-3974 Filed 2-20-92; 8:45 am]

BILLING CODE 4410-10-M

8 CFR Parts 214, 251, and 258

[INS No. 1418-92]

RIN 1115-AC42

Denial of Crewman Status in the Case of Certain Labor Disputes and Specifications of Authorized Employment

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Reinstatement of interim rule.

SUMMARY: This rule is a reinstatement of the interim rule which was published on June 6, 1991 at 56 FR 26016. This rule implements sections 202 and 203 of the Immigration Act of 1990, by placing certain restrictions on the admission and employment of alien crewmen during strikes and in their performance of longshore work. This interim rule is necessary to clarify the circumstances under which a nonimmigrant crewman may be employed in the United States and to implement those new restrictions.

DATES: This rule is effective February 21, 1992, through March 31, 1992. The Immigration and Naturalization Service (INS) will issue a final rule or a second interim rule on or before the last effective date of this interim rule after a review of public and agency comments is completed.

FOR FURTHER INFORMATION CONTACT:

Diane Hinckley, Assistant Chief Inspector, Immigration and Naturalization Service, 425 I Street, NW., room 7216, Washington, DC 20536, telephone number (202) 514-2725.

SUPPLEMENTARY INFORMATION: On June 6, 1991, the Immigration and Naturalization Service (the Service) published an interim rule in the Federal Register at 56 FR 26016, requesting comments by July 8, 1991. At the request of interested parties, the Service published a notice in the Federal Register at 56 FR 31305, extending the comment period to August 9, 1991. The interim rule stated that the Service would issue a final rule on or before December 31, 1991; this was not accomplished. Since the Service has not completed the reconciliation of public and agency comments and concerns, the interim rule was not extended prior to its expiration on December 31, 1991. The

interim rule therefore must be reinstated and extended until a final rule or second interim rule incorporating comments can be published.

Section 202 of IMMACT 90 amends section 214 of the Act to deny crewman status under section 101(a)(15)(D) of the Act to an alien who intends to land for the purpose of performing service as a crewman on a United States carrier during a labor dispute where there is a strike or lockout in the bargaining unit of that employer. This restriction does not apply to a nonimmigrant crewman who has been an employee of the carrier for at least twelve months prior to the strike or lockout, has served as a crewman for that employer at least once during three different months in the year preceding the strike or lockout, and will continue to provide the same crewman services to the employer as previously.

Pursuant to the provisions of 8 CFR 214.2(d)(2), alien crewmen who are not former employees are to be refused admission to the United States upon determination that a strike or other labor dispute involving a work stoppage is in progress in the bargaining unit of the employer. During such a labor dispute nonimmigrant crewmen may not be paroled into the United States in lieu of being admitted unless the parole of such an alien is deemed to be necessary to protect the national security of the United States. Further, such alien crewmen shall not be considered to be bona fide crewmen under section 252(b) of the Act.

Section 203 of IMMACT 90 added section 258 to the Immigration and Nationality Act. This section redefines crewmen under section 101(a)(15)(D)(i) of the Act to exclude longshore work from the term "normal operation and service on board a vessel." In general, under only three exceptions may alien crewmen serving on board a vessel perform longshore work at a port in the United States. If alien crewmen engage in longshore work not covered by the exceptions, the crewmen are considered out of status and detained on board the vessel; and the owner of the vessel is subject to a fine.

This interim regulation will require that the master or agent of the vessel clearly indicate on the arrival manifest at the first port of entry if any alien crewmen will be engaged in longshore work and if so, under which exception such work is permitted. Masters of vessels or their agents are required to submit manifests containing information about the crew. This regulation will require additional information as

permitted under section 251 of the Immigration and Nationality Act (Act). The inspecting immigration officer will indicate on the receipt given for the manifest whether any alien crewman will engage in longshore work at any port of call in the United States and will document compliance with section 258 of the Act. A negative response by the master or agent will also be noted on the receipt. Any violations of the reporting requirements of section 251 will result in the imposition of fines.

The Service's implementation of this rule as an interim rule is based upon the "good cause" exception found at 5 U.S.C. 553. The reason and the necessity for immediate implementation of this interim rule is that the denial of crewmen status during a strike was effective January 29, 1991.

In accordance with 5 U.S.C. 605(b), the Commissioner of the Immigration and Naturalization Service certifies that this rule does not have a significant adverse economic impact on a substantial number of small entities. This rule is not a major rule within the meaning of section 1(b) of E.O. 12291, nor does this rule have Federalism implications warranting the preparation of a Federal Assessment in accordance with E.O. 12612.

The information collection requirement contained in this rule has been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act. The OMB control number for this collection is contained in 8 CFR 299.5.

List of Subjects

8 CFR Part 214

Administrative practice and procedure, Aliens.

8 CFR Part 251

Air carriers, Airmen, Aliens, Maritime carriers, Reporting and recordkeeping requirements, Seamen.

8 CFR Part 258

Aliens, Longshore work, Maritime carriers, Reporting and recordkeeping requirements, Seamen.

Accordingly, chapter I of title 8 of the Code of Federal Regulations is amended as follows:

PART 214—NONIMMIGRANT CLASSES

1. The authority citation for part 214 continues to read as follows:

Authority: 8 U.S.C. 1101, 1103, 1184, 1186a, 1187; and 8 CFR part 2.

2. In section 214.2, paragraph (d) is added to read as follows:

§ 214.2 Special requirements for admission, extension, and maintenance of status.

(d) *Crewmen.* (1) The provisions of parts 251, 252, 253, and 258 of this chapter shall govern the landing of crewmen as nonimmigrants of the class defined in section 101(a)(15)(D) of the Act. An alien in this status may be employed only in a crewman capacity on the vessel or aircraft of arrival, or on a vessel or aircraft of the same transportation company, and may not be employed in connection with domestic flights or movements of a vessel or aircraft.

(2) *Denial of crewman status in the case of certain labor disputes (D nonimmigrants).* (i) An alien shall be denied D crewman status as described in section 101(a)(15)(D) of the Act if:

(A) The alien intends to land for the purpose of performing service on:

(1) A vessel of the United States (as defined in 46 U.S.C. 2101(46)) or

(2) An aircraft of an air carrier (as defined in section 101(3) of the Federal Aviation Act of 1958); and

(B) A labor dispute consisting of a strike or lockout exists in the bargaining unit of the employer in which the alien intends to perform such service; and

(C) The alien is not already an employee of the company (as described in paragraph (d)(2)(iv) of this section).

(ii) *Refusal to land.* (A) Any alien (except a previous employee as described in paragraph (d)(2)(iv) of this section) who the examining immigration officer determines intends to land for the purpose of performing service on board a vessel or an aircraft of the United States when a strike or lockout is in progress in the bargaining unit of the employer shall be refused a conditional landing permit under section 252 of the Act. The immigration officer shall detain any such alien crewman on board the vessel until the strike or lockout has ended or the vessel leaves the port. If this alien crewman is in possession of a Form I-184, Alien Crewman Landing Permit and Identification Card, the immigration officer shall lift the Form I-184 and deliver it to the master or agent of the vessel with instructions to return it to the alien after the vessel has departed from the port affected by the strike or lockout.

(B) Any alien (except a previous employee) who the examining immigration officer determines intends

to land for the purpose of performing service on an aircraft or an air carrier of the United States when a strike or lockout is in progress in the bargaining unit of the employer shall be refused permission to land under section 252 of the Act and shall be returned to the point of embarkation on the next available flight.

(iii) *Ineligibility for parole.* An alien described in paragraph (d)(2)(i) of this section may not be paroled into the United States under section 212(d)(5) of the Act unless the Attorney General determines that the parole of such alien is necessary to protect the national security of the United States.

(iv) *Previous employees.* Paragraphs (d)(2)(i), (d)(2)(ii), and (d)(2)(iii) of this section do not apply to an alien who is already an employee of the owner or operator of the vessel or air carrier and that employer provides work records that satisfy the Attorney General that the alien:

(A) Has been an employee of such employer for a period of not less than one year preceding the date that a strike or lawful lockout commenced;

(B) Has served as a qualified crewman for such employer at least once in three different months during the 12-month period preceding the date that the strike or lockout commenced; and

(C) Shall continue to provide the same crewman services that he or she previously provided to the employer.

(v) *Strike or lockout determination.* These provisions will take effect if the Attorney General, through the Commissioner of the Immigration and Naturalization Service or his or her designee, after consultation with the Secretary of Labor, or his or her designee, determines that a strike, lockout, or labor dispute involving a work stoppage is in progress in the bargaining unit of the employer for whom the alien intends to perform such service.

* * *

PART 251—ARRIVAL MANIFESTS AND LISTS: SUPPORTING DOCUMENTS

3. The authority citation for part 251 is revised to read as follows:

Authority: 8 U.S.C. 1103, 1182, 1221, 1281, 1282.

4. In § 251.1, paragraphs (a) and (d) are added to read as follows:

§ 251.1 Arrival manifests and lists.

(a) *Vessels.* The master or agent of every vessel arriving in the United States from a foreign place or an outlying possession of the United States shall present to the immigration officer at the port where the immigration

inspection is performed a manifest of all crewmen on board on Form I-418, Passenger List-Crew List, in accordance with the instructions contained thereon. In addition, the master of the vessel or his or her agent shall indicate in writing immediately below the name of the last alien listed on the form each port in the United States at which the vessel will call before it departs. Under each port of call the master or agent will note whether or not any alien crewmen intend to do longshore work at that port. If any crewmen intend to do longshore work, the master or agent shall note under which exception in 8 CFR 258.2 such longshore work is permitted. A manifest shall not be required for crewmen aboard a vessel of United States, Canadian, or British registry engaged solely in traffic on the Great Lakes, or the St. Lawrence River, and connecting waterways herein designated as a Great Lakes vessel, unless nonimmigrant crewmen intend to do longshore work at any port in the United States. If nonimmigrant crewmen will do longshore work, the master or agent of the vessel shall note on the manifest at which port the crewmen will perform longshore work and under which exception in 8 CFR 258.2 such work is permitted. A manifest shall be required for crewmen of other than United States, Canadian, or British citizenship and shall contain the same information regarding the vessel's ports of call, whether or not alien crewmen intend to do longshore work at any port, and if so, under which exception such work is permitted. After submission of a manifest on the first voyage of a calendar year, a manifest shall not be required on subsequent arrivals unless a nonimmigrant crewman of other than Canadian or British citizenship is employed on the vessel who was not aboard and listed on the last prior manifest, or unless nonimmigrant crewmen intend to do longshore work in the United States which was not noted on the last prior manifest together with the exception permitting it. The master or agent of a vessel that only bunkers at a United States port pursuant to 8 CFR 235.1(d)(7) must annotate Form I-418 to indicate the time, date, and place of bunkering.

* * *

(d) *Notations on arrival manifests.* Upon completion of the examination of each crewman listed on the Form I-418 presented by the master or agent of an arriving vessel, the examining immigration officer shall place one of the following symbols in column (5) of the Form I-418 opposite the name of the crewman: "USC" for a crewman

admitted as a United States citizen; "RP" or "ARC" to indicate respectively the presentation of a reentry permit or an alien registration receipt card, Form I-151 or I-551, for a crewman admitted as a lawful permanent resident; "D-1" for an alien crewman granted a conditional landing permit under section 252(a)(1) of the Act; "D-2" for an alien crewman granted a conditional landing permit under section 252(a)(2) of the Act; "Parolee" for an alien crewman paroled pursuant to section 212(d)(5) of the Act; and "Refused" for a nonimmigrant crewman whose request for a landing permit has been refused. The examining immigration officer shall sign his or her name, title, and the date of the inspection following the last entry in column (5) of the Form I-418 when the examination of the crew is completed. The master of the vessel shall be furnished Form I-410 as a receipt for the Form I-418 arrival manifest, and the immigration officer shall list on that form the names of all crewmen who have been refused conditional landing permits. The immigration officer shall also list on such form the vessel's ports of call, whether or not nonimmigrant crewmen will perform longshore work at each port of call, and under which exception in 8 CFR 258.2 such longshore work is permitted. If nonimmigrant crewmen will perform longshore work, the examining immigration officer will also note what documentation accompanied the manifest to support the exception claimed to the general prohibition against nonimmigrant crewmen performing longshore work.

5. A new part 258 is added to read as follows:

PART 258—LIMITATION ON PERFORMANCE OF LONGSHORE WORK BY ALIEN CREWMEN

Sec.

258.1 Limitations—General.

258.2 Exceptions.

258.3 Action upon arrival.

Authority: 8 U.S.C. 1101, 1103, 1281; 8 CFR part 2.

§ 258.1 Limitations—General.

(a) *Longshore work defined.* Longshore work means any activity relating to the loading and unloading of cargo, the operation of cargo-related equipment [whether or not integral to the vessel], and the handling of mooring lines on the dock when the vessel is made fast or let go, in the United States or the coastal waters thereof.

(b) Longshore work is not in the term "normal" operation and service on board a vessel" for the purposes of section 101(a)(15)(D)(i) of the Act.

(c) A vessel that uses nonimmigrant crewmen to perform longshore work, other than the activities allowed in particular circumstances under paragraphs (b)(2), (c) or (d) of this section, shall be subject to a fine under section 251(d) of the Act.

§ 258.2 Exceptions.

Any master or agent who uses nonimmigrant crewmen to perform longshore work at any United States port under the exceptions provided for in paragraphs (b)(2), (c), or (d) of this section must so indicate on the crew manifest. The master or agent shall annotate the manifest to show all ports of call at which the vessel will land while in the United States, whether or not nonimmigrant crewmen will perform longshore work at any port, and if so, which nonimmigrant crewmen will perform the longshore work and under which exception such work will be performed.

(a) *Hazardous cargo.* (1) The term "longshore work" does not include the loading and unloading of any cargo for which the Secretary of Transportation has prescribed regulations under authority contained in chapter 37 of title 46, United States Code, section 311 of the Federal Water Pollution Control Act, section 4106 of the Oil Pollution Act of 1990, or section 105 or 106 of the Hazardous Materials Transportation Act which govern:

- (i) The handling or stowage of such cargo;
- (ii) The manning of vessels and the duties, qualifications, and training of the officers and crew of vessels carrying such cargo; and
- (iii) The reduction or elimination of discharge during ballasting, tank cleaning, or handling of such cargo.

(2) In order to invoke this exception for safety and environmental protection, the master or agent shall annotate the manifest that the vessel carries hazardous cargo and shall cite the body of regulations issued by the Secretary of Transportation that govern the handling of the cargo.

(b) *Prevailing practice exception*—(1) *Nonimmigrant crewmen may perform longshore work under this exception if:*

- (i) There is in effect in the local port one or more collective bargaining agreements, each covering at least 30 percent of the persons performing longshore work at the port, and each such agreement permits the longshore activity to be performed by the nonimmigrant crewmen, or
- (ii) There is no collective bargaining agreement in effect in the local port covering at least 30 percent of the persons performing longshore work at

the port, and the employer of the crewmen has filed an attestation with the Secretary of Labor that the Secretary of Labor has accepted.

(2) *Documentation to present under the prevailing practice exception.*

(i) If the master or agent states on the manifest, Form I-418, that nonimmigrant crewmen will perform longshore work at a port under the prevailing practice exception as permitted by all collective bargaining agreements covering 30 percent or more of the persons performing longshore work at the port, then a copy of such agreement must be presented to the examining immigration officer with the manifest.

(ii) Where there is no collective bargaining agreement in effect at a port covering at least 30 percent of the persons who do longshore work, and the master or agent states on the manifest that nonimmigrant crewmen will perform such under the prevailing practice exception, then the master or agent shall present a copy of the attestation submitted to the Secretary of Labor for that port together with notification received from the Secretary of Labor that the attestation has been accepted.

(iii) Section 258(c) allows the master or agent of a vessel to file an attestation with the Secretary of Labor up to the date on which crewmen perform longshore work, when an unanticipated emergency occurs. Therefore, at times the master or agent will not have the attestation to present at inspection, or not have a notice from the Secretary of Labor that the attestation has been accepted. At times an emergency will arise after the inspection of the vessel. In these circumstances when supporting documents are not ready to present at the time of inspection because of an unanticipated emergency, or the emergency arises after the inspection, then the documents required in paragraph (b)(2)(i) or (b)(2)(ii) of this section shall be submitted after inspection but no later than 14 days after the longshore work is performed. When documents are submitted after inspection, the master or agent shall also submit a notarized affidavit with the documents stating under oath the date and port at which the longshore work was performed, the crewmen who performed it, the exception that allowed it, and the reason that the documents were not submitted at inspection. If the reason that the documents were not presented at inspection involves an unanticipated emergency then a concise description of the emergency shall be included in the affidavit. If the master or agent presents incomplete documentation at the time of inspection

that is not completed within 14 days of crewmen doing longshore work, then the vessel is subject to a fine under section 251(d) of the Act. If crewmen on a vessel perform longshore work at a port at which the manifest states they will not perform such work, and the change is not followed up within 14 days of the longshore work being done with complete documentation consisting of an attestation, notice of acceptance of the attestation from the Secretary of Labor, and an affidavit as described in this paragraph, then the vessel is subject to fine under section 251 of the Act. All documents submitted after inspection shall be sent to the Immigration and Naturalization Service seaport office that inspected the vessel.

(iv) Attestations are valid for one year from the date of filing and cover nonimmigrant crewmen landing during that period if the master or agent states in the manifest that the vessel's crew continue to comply with the conditions in the attestation. When the vessel's master or agent intends to use a previously accepted attestation that is still valid, the master or agent shall submit a copy with the manifest at each arrival in the United States.

(3) *Use of automated self-unloading conveyor belt or vacuum-actuated system on a vessel.* An automated self-unloading conveyor belt or a vacuum-actuated system may be operated by a nonimmigrant crewman under the prevailing practice exception when no collective bargaining agreement at the local port prevents it. The master or agent is not required to file an attestation for nonimmigrant crewmen to perform such activity in such a circumstance unless the Secretary of Labor has determined that such activity is not the prevailing practice at that port, and has publicized this finding. When invoking this exception, the master or agent of the vessel shall annotate the manifest that the longshore work consists of operating a self-unloading conveyor belt or a vacuum-actuated system on the vessel under the prevailing practice exception.

(4) *Notification by the Secretary of Labor regarding attestations.* If the Attorney General is notified by the Secretary of Labor that an entity has either misrepresented facts in the attestation or failed to meet a condition attested to, the Attorney General will take steps to impose the sanctions stated in section 258(c)(4)(E)(i) of the Act. First time violators of this section of the Act will not be subject to the maximum sanction stated in the section, which is the prohibiting of any vessel owned or chartered by the violating

entity from landing at any United States port for one year.

(c) *Reciprocity exception.*

Nonimmigrant crewmen may perform longshore work in a United States port under this exception if:

- (1) The particular activity to be performed is stated on the manifest;
- (2) The vessel on which the crewmen serve is registered in a country that does not prohibit the particular activity by crewmen aboard United States vessels when such vessels land in that country, as determined by the Secretary of State; and
- (3) The master or agent presents documentation that shows that a majority of the vessel's owners are nationals of a country or countries that do not prohibit such longshore activity by crewmen aboard United States vessels when they land in those countries.

§ 258.3 Action upon arrival.

(a) The master or agent of the vessel shall state on the manifest at the first port of entry:

- (1) The ports of call in the United States at which the vessel will land before departing the United States;
- (2) For each port of call, whether or not nonimmigrant crewmen will perform longshore work at that port;
- (3) If any nonimmigrant crewmen will perform longshore work, who those crewmen are;
- (4) If nonimmigrant crewmen will perform longshore work, under which exception in section 258 of the Act the work will be performed. The master or agent of the vessel shall also submit the supporting documents required by the exception claimed.
- (5) The examining immigration officer shall give the master or agent a Receipt for Crew List, Form I-410, on which the officer shall note whether or not nonimmigrant crewmen will do longshore work at any port of call, and if so, under which exception. The officer shall also note which documentation supporting the exception claimed accompanied the manifest, and any lack of documentation that must be submitted by the master or agent subsequently.

(b) If an unanticipated emergency arises that precludes reporting the longshore work and submission of documents at the time of inspection, failure to report the change and submit any documentation required within 14 days of the longshore work being performed are subject to fine under section 251 of the Act.

(c) If some activity of longshore work is performed at a port in an emergency situation to prevent the imminent

destruction of property or possible injury or death to a person, a report of the incident shall be made to the Immigration and Naturalization Service (INS) seaport office that performed the inspection. No further documentation is required whether or not the activity was covered by an exception listed in section 258 of the Act.

(d) Changes to statements on the manifest regarding longshore work shall be reported to the INS office that performed the inspection.

(e) Using a nonimmigrant crewman to perform longshore work not included in the normal operation and on board the vessel and not covered by an exception will result in fine proceedings against the owner, agent, consignee, master, or commanding officer under section 251 of the Act.

(f) Failure to deliver complete, true and correct information on the manifest will result in fine proceedings against the owner, agent, consignee, master, or commanding officer under section 251 of the Act.

Dated: January 29, 1992.

Gene McNary,

Commissioner, Immigration and Naturalization Service.

[FR Doc. 92-3975 Filed 2-20-92; 8:45 am]

BILLING CODE 4410-10-M

FEDERAL HOUSING FINANCE BOARD

12 CFR Part 932

[No. 92-68]

Dividends Paid on Federal Home Loan Bank Stock

AGENCY: Federal Housing Finance Board.

ACTION: Final rule.

SUMMARY: The Federal Housing Finance Board ("Finance Board") is amending part 932 of its regulations governing the payment of dividends to holders of Federal Home Loan Bank ("FHLBank") stock to compensate members that redeem such stock prior to the end of the dividend period for the FHLBanks' use of their funds during that dividend period. The revised rule ensures the continued equitable treatment of all owners of FHLBank stock by allowing shareholders that redeem stock during a quarter to receive a dividend for the portion of the quarter in which the shareholder had stock outstanding.

EFFECTIVE DATE: April 1, 1992.

FOR FURTHER INFORMATION CONTACT: Thomas D. Sheehan, (202) 408-2870, Assistant Director, District Banks Directorate, or Jon F. Boustany, (202)

408-2932, Attorney-Advisor, Office of General Counsel, Federal Housing Finance Board, 1777 F Street, NW., Washington, DC 20006.

SUPPLEMENTARY INFORMATION:

A. Statutory and Regulatory Background

In order to become a member of the FHLBank System, an institution is required to subscribe for stock in the FHLBank in the district in which the member is located. See 12 U.S.C. 1422, 1424, and 1426. Once a member has subscribed for stock in the FHLBank, it is entitled to receive dividends made available on such stock without preference. See 12 U.S.C. 1426(g). Pursuant to 12 U.S.C. 1426(g), a regulation was promulgated at 12 CFR 932.3 to govern the payment of such dividends.

Prior to these amendments, § 932.3 of the Finance Board's regulations provided that "the board of directors of each Bank may, with the approval of the (Finance) Board, declare a dividend from net earnings, the dividend stabilization reserve, and undivided profits to stockholders of record * * * on the paid-in value of capital stock outstanding on the record date." See 12 CFR 932.3. Dividends on such stock were computed "only for the period such stock was outstanding during the interval between the record date and the immediately preceding record date." *Id.* Thus, under the previous rule, if stock was redeemed prior to the record date, the stockholder was not entitled to receive any dividends on such redeemed stock. The Finance Board commenced this rulemaking to develop a dividend payment rule to ensure equitable treatment of shareholders who hold stock for a portion of the dividend period but redeem their stock prior to the declaration date.

B. Comments Received In Response To Issuance Of Proposed Rules

On November 26, 1991, the Finance Board published a notice of proposed rulemaking to amend § 932.3 of its regulations on the payment of dividends. See 56 FR 59898. The Finance Board received ten comment letters in response to its proposed regulation. Comments were received from five FHLBanks, one trade association, three FHLBank members, and one Federal agency. All but two of the ten commenters expressed general support for the proposed rule.

One opposing commenter suggested an alternative method of compensating holders of stock redeemed prior to the declaration of a dividend. The other opposing commenter suggested that

compensating holders of stock that was redeemed prior to the declaration of a dividend worked to the detriment of the remaining stockholders. The comment letters pointed out some of the difficulties in administering the proposed rule and cautioned against some potential abuses. One commenter who favored the rule requested that the rule be administered retroactively.

These comments are discussed in more detail below in the Analysis of the Final Rule.

C. Analysis of the Final Rule

1. Method of Calculating Dividend

Historically, FHLBank System membership and the members' capital stockholdings had been relatively stable. Recently, however, changes in the membership base, particularly due to the thrift resolution process, have led to greater fluctuation in System capital stock outstanding. As a result, the Finance Board determined that § 932.3 might no longer provide equitable treatment in the distribution of dividends to all FHLBank stockholders, since an institution that, for whatever reason, redeems its stock in a FHLBank prior to the record date, is denied compensation for the FHLBank's use of its funds prior to the redemption of such stock. The Finance Board is amending § 932.3 in order to eliminate such inequities in the distribution of dividends to FHLBank stockholders.

Specifically, the final rule eliminates the concept of a record date, and authorizes the payment of declared dividends without preference to stockholders on any stock held during the dividend period. Under the final rule, the dividends may be paid quarterly, semiannually, or annually for the period(s) ending on March 31, June 30, September 30, or December 31. A stockholder that holds stock at any time during the dividend period will receive a *pro rata* share of the dividend distribution without preference based on the period such stock was outstanding during the dividend period. Under this approach, a stockholder that redeems its stock was outstanding during the dividend period. Under this approach, a stockholder that redeems its stock at any time during the dividend period will be compensated at the end of the dividend period for the FHLBank's use of its funds prior to the stock redemption.

One commenter suggested that the proposed rule, which provides for the payment of dividends on stock redeemed prior to the declaration date, may violate the provisions of the Bank Act on dividends and stock redemption. In support of its position the commenter

cites a legal opinion of the former Federal Home Loan Bank Board ("Bank Board"). The Finance Board disagrees with the commenter and believes that the Bank Act permits the payment of dividends on stock redeemed prior to the declaration date. Under the Bank Act, stockholders share in dividends distributed without preference, and are only entitled to their cash paid subscription upon redemption of their FHLBank stock. See 12 U.S.C. 1426. The opinion cited by the commenter does not conclude that the Bank Act prohibits the payment of a dividend on stock redeemed prior to the declaration of a dividend. Rather, the opinion relied on the language of old regulation 12 CFR 522.6 (redesignated as 12 CFR 932.3), which did not entitle stockholders to receive dividends on stock redeemed prior to the record date.

The final rule eliminates the use of a record date in determining entitlement to dividend distributions and provides for the payment of a dividend based on the time the stock was outstanding during the dividend period. This change does not constitute a preference, but actually provides more equitable treatment of all FHLBank stockholders. Furthermore, the final rule does not violate the Bank Act's requirements on stock redemption, since the stockholder continues to receive its cash paid subscription upon redemption of its stock.

One commenter expressed concern that the amendments to § 932.3 are not consistent with general corporate law on the rights of shareholders to earnings of a corporation. In support of its position, the commenter cited *Fahey v. O'Melveny & Myers*, 200 F.2d 420 (9th Cir. 1952), the leading case interpreting the rights of stockholders in the FHLBank System. The Finance Board agrees that the final rule takes a different approach than the usual method for distributing dividends prescribed by general corporate law principles. However, FHLBank stock is fundamentally different from the stock of private corporations. Under general corporate law, dividends are paid to holders of stock on the record date fixed by the corporation's board of directors. This concept of record date evolved out of necessity. Since corporate stock is constantly traded in public markets, it is necessary to establish that stockholders of record as of a certain date are entitled to receive dividends. The price at which the stock trades reflects the right to receive declared dividends. If stock in a private corporation is sold prior to the record date set for the payment of a dividend, the stockholder is not entitled to receive any dividend on such stock.

In contrast, FHLBank stock is not traded in the public markets since only member institutions are permitted by law to own FHLBank stock. See 12 U.S.C. 1426. FHLBank stock is purchased at par value and redeemed at par value. It does not have a market value different from its book value. Therefore, the reasons for identifying a dividend record date for most corporate stocks do not apply to FHLBank stock. In fact, the court in *Fahey* stressed this same point:

Whatever the basis of this tenuous argument it lacks substance in law since it necessarily rests on the untenable concept and assumption that [FHLBanks] are in truth and in substance private corporations and that stock in these banks held by association members falls into the same "value" and "market" category as that of a purely private corporation whose stock is the subject of free barter and trade.

Fahey, *supra* at 469. Since the *Fahey* case recognizes the uniquely restricted market for FHLBank stocks, the Finance Board's decision to eliminate the use of a record date when declaring dividends on FHLBank stock does not contravene this case.

One commenter suggested that compensating holders of stock that was redeemed prior to the declaration of a dividend worked to the detriment of the remaining stockholders. The commenter listed three classes of shareholders that would potentially benefit from the final rule: (1) Those exiting the FHLBank System voluntarily; (2) those exiting the FHLBank System involuntarily (such as Resolution Trust Corporation resolutions); and (3) those continuing FHLBank shareholders redeeming excess stock prior to a dividend date. While it is true that those three classes of shareholders would benefit from this change by receiving dividends to which they are not now entitled, the Finance Board believes that this rule provides more equitable treatment of owners of FHLBank stock. Under the prior rule, a shareholder that, for whatever reason, redeems its stock in a FHLBank prior to the record date, is denied compensation for the FHLBank's use of its funds prior to the redemption of such stock. The final rule eliminates this inequity by allowing shareholders that redeem stock during a quarter to receive a dividend for the portion of the quarter in which the shareholder had stock outstanding. Therefore, all shareholders are compensated equally according to the amount of time the FHLBank used the shareholder's funds.

One commenter favoring the proposed rule requested that the final rule be applied retroactively so that members that redeemed their FHLBank stock prior to the declaration of a dividend in

previous periods would receive a *pro rata* share of dividends declared in those dividend periods. The Finance Board believes a retroactive rule would run contrary to the general purpose of this proceeding which targets equitable treatment for all stockholders, because it would require a redistribution of all dividends in prior periods and would arbitrarily impose a forfeiture on certain stockholders. Additionally, if the final rule were applied retroactively, the Finance Board would have to either arbitrarily set a date from which the rule would be effective or fix the effective date at the inception of the FHLBank System in 1932. In either case, the filing of claims for unpaid dividends by any institution that redeemed FHLBank stock since the effective date would certainly place an economic burden on the FHLBank System. This burden would likely be carried in part, if not totally, by the current members of the FHLBank System, creating new and unexpected obligations accompanying membership.

Furthermore, the Finance Board lacks the authority to make this rule retroactive. In general, an administrative agency may not issue retroactive rules without an express authorization from Congress. See *Bowen v. Georgetown University Hospital*, 488 U.S. 204, 207; 109 S.Ct. 468, 471 (1988). In *Bowen*, the United States Supreme Court held that "a statutory grant of legislative rulemaking authority will not, as a general matter, be understood to encompass the power to promulgate retroactive rules unless that power is conveyed by Congress in express terms." *Id.* The Finance Board is conducting this rulemaking based on its general rulemaking authority, rather than because of a specific Congressional directive to adjust the FHLBank dividend distribution procedure. Accordingly, we are aware of no express authority that would permit this rule to be implemented retroactively.

One commenter on the proposed rule cautioned that the changes made by the rule may result in excess FHLBank stock becoming an alternative to other short-term investments, since the FHLBanks may currently redeem excess stock only at the request of the member. The commenter warned that some members may "take a large overnight loan, buy additional stock, pay off the loan the following day and hold the excess stock to reap the dividend." The commenter suggested that the final rule address this issue by providing the FHLBanks with the option of redeeming excess stock. Although the Finance Board acknowledges that the commenter raises a valid concern, the problem is not

closely enough linked to the purpose of this rule to be included in the final rule. The Finance Board takes under advisement the possibility of addressing the issue of unilateral redemption of excess stockholdings in a separate rulemaking proceeding.

One commenter on the proposed rule expressed concern that it may adversely affect the ability of FHLBank members to accrue dividends declared by the FHLBank at the end of each calendar quarter. The Finance Board does not believe dividend accrual will pose a problem since dividend accrual is not a function of the record date. The final rule does not change the current method of declaring dividends or the certainty of dividend payments. Thus, the final rule will not have an adverse impact on a FHLBank member's ability to accrue dividend income.

One commenter on the proposed rule suggested as an alternative to the proposal "that a fairer way to resolve payment for use of the member's funds up to the date of withdrawal would be to pay a daily time rate on those funds." However, this recommendation may violate sections 6(b) and 6(e) of the Bank Act, since it would in substance constitute including an interest payment in the stock redemption price. Upon redemption of FHLBank stock, a stockholder is entitled only to its cash paid subscription. See 12 U.S.C. 1426(b) and 1426(e). Furthermore, since dividends must be declared without preference, it is difficult to consider this method of payment a dividend. It would require a declaration of a dividend every time a member redeems stock in the middle of the quarter. See 12 U.S.C. 1426(g).

One commenter expressed concern that the changes to § 932.3 may be administratively burdensome, since it might require program changes and changes in the FHLBanks' computer software that keeps track of ownership of FHLBank capital stock. However, under the current rule, the FHLBanks already make *pro rata* dividend distributions to stockholders on the record date who purchased that stock after the beginning of the dividend period. Therefore, program changes should be minimal. In addition, the proposed rule was published on November 28, 1991. The final rule will not be effective until April 1, 1992. The FHLBanks will, therefore, have ample time to make any necessary adjustments.

2. Terminology Change

Prior to these amendments, § 932.3 provided for the payment of dividends from net earnings, the dividend

stabilization reserve, and undivided profits. The final rule amends § 932.3 by substituting in the place of the terms "dividend stabilization reserve" and "undivided profits," the term "previously retained earnings." The Finance Board is making this terminology change based on changes made to the Bank Act by the enactment of the Financial Institutions Reform, Recovery and Enforcement Act of 1989, Public Law 101-73, 103 Stat. 412 (August 9, 1989) ("FIRREA").

Until December 31, 1991, the FHLBanks' retained earnings were comprised of the legal reserve, the dividend and stabilization reserve, and undivided profits. Since the FHLBanks were prohibited from paying dividends from the legal reserve in section 16 of the Bank Act, § 932.3 could not generally provide for the payment of dividends from retained earnings. See 12 U.S.C. 1436. Rather, it specifically listed the two components of retained earnings from which dividends could be paid, namely the dividend stabilization reserve and undivided profits.

Effective January 1, 1992, section 724 of FIRREA amended the Bank Act by eliminating the legal reserve requirement in section 16 of the Bank Act. See FIRREA, *supra* at 103 Stat. 415. Since January 1, 1992, retained earnings have included only the dividend stabilization reserve and undivided profits. In recognition of the change made by FIRREA, the final rule amends § 932.3 by substituting the term "previously retained earnings" in the place of the terms "dividend stabilization reserve" and "undivided profits." The terminology change will have no effect on the payment of dividends, since retained earnings will be comprised exclusively of the dividend stabilization reserve and undivided profits.

Regulatory Flexibility Act

Pursuant to section 605(b) of the Regulatory Flexibility Act (Pub. L. 96-354, 5 U.S.C. 605(b) *et seq.*), it is certified that the final rule will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 12 CFR Part 932

Conflicts of interest, Federal home loan banks.

Accordingly, the Federal Housing Finance Board hereby proposes to amend title 12, chapter IX, subchapter B, part 932 of the Code of Federal Regulations as follows:

SUBCHAPTER B—FEDERAL HOME LOAN BANK SYSTEM**PART 932—ORGANIZATION OF THE BANKS**

1. The authority citation for part 932 is revised to read as follows:

Authority: Secs. 2A, 2B, as added by sec. 702, 103 Stat. 413, 414 (12 U.S.C. 1422a, 1422b); secs. 6-7, 47 Stat. 727, 730, as amended by secs. 707, 710(b)(4), 103 Stat. 417, 418 (12 U.S.C. 1426-1427); sec. 5, 48 Stat. 132, as amended (12 U.S.C. 1464); sec. 207, 62 Stat. 692, as added by sec. 1a, 76 Stat. 1123, as amended (18 U.S.C. 207).

2. Section 932.3 is revised to read as follows:

§ 932.3 Dividends.

The board of directors of each Bank may, with the approval of the Board, declare and pay a dividend from net earnings, including previously retained earnings, on the paid-in value of capital stock held during the dividend period. The dividend period may be quarterly, semiannually, or annually ending on March 31, June 30, September 30, or December 31. Dividends on such stock shall be computed without preference and only for the period such stock was outstanding during the dividend period. Dividends may be paid in cash or in the form of stock.

Dated: February 13, 1992.

By the Federal Housing Finance Board.

Daniel F. Evans, Jr.,
Chairman.

[FR Doc. 92-4073 Filed 2-20-92; 8:45 am]

BILLING CODE 6725-01-M

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. 91-NM-150-AD; Amendment 39-8140; AD 92-02-04]

Airworthiness Directives; McDonnell Douglas Model DC-9 Series Airplanes, Model DC-9-80 Series Airplanes, Model MD-88 Airplanes, and C-9 (Military) Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), applicable to certain McDonnell Douglas Model DC-9 series, Model DC-9-80 series, Model MD-88, and C-9 (Military) series airplanes, which currently requires repetitive inspections of the rudder actuator for internal hydraulic

fluid leakage, and replacement if necessary, to ensure that degraded actuators are removed from service. This amendment requires a one-time inspection of certain rudder actuators at a reduced interval and modification of the rudder actuators. This amendment is prompted by reports of rudder actuators with degraded performance. This condition, if not corrected, could result in reduced rudder authority and uncontrollable airplane sideslip, should an engine failure occur at takeoff.

DATES: Effective March 27, 1992.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 27, 1992.

ADDRESSES: The service information referenced in the AD may be obtained from McDonnell Douglas Corporation, Post Office Box 1771, Long Beach, California 90801; Attn: Business Unit Manager, Technical Publications & Technical Administrative Support, C1-L5B (54-60). This information may be examined at the FAA, Northwest Mountain Region, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington; or at the Los Angeles Aircraft Certification Office, 3229 East Spring Street, Long Beach, California; or at the Office of the Federal Register, 1100 L Street NW., room 8401, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Mr. Walter S. Eierman, Aerospace Engineer, ANM-130L, FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3229 East Spring Street, Long Beach, California; telephone (213) 988-5336.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations by superseding AD 89-06-06, Amendment 39-6150 (54 FR 11170, March 17, 1989), with a new AD that is applicable to certain McDonnell Douglas Model DC-9 series, Model DC-9-80 series, Model MD-88, and C-9 (Military) series airplanes was published in the Federal Register on September 9, 1991 (56 FR 45904). That action proposed to require a one-time inspection of certain rudder actuators at a reduced interval, and a modification of the rudder actuator, which would constitute terminating action for the repetitive inspections.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

One commenter supported the rule as proposed.

Several commenters requested that the compliance time be increased from 6,000 flight hours, as proposed, to 10,000 flight hours, in order to eliminate difficulties in rotating all the actuators through overhaul shops. The FAA concurs with this recommendation, since the repetitive inspections will remain in effect to assure an acceptable level of safety in the interim. The final rule has been changed accordingly.

A commenter requested that the modification specified in McDonnell Douglas Service Bulletin 27-301, dated June 1, 1989, also be considered terminating action for the repetitive inspections. The FAA concurs. Although the proposal only referred to the latest revision of this bulletin (Revision 1, dated May 24, 1991), the modification described in both versions is the same; therefore, both can be identified as acceptable. The final rule has been changed accordingly.

One commenter requested that airplanes equipped with actuators manufactured by Parker Berteau be omitted from having to perform the proposed modification, and that the requirement apply only to airplanes with actuators manufactured by National Water Lift. The FAA does not concur. AD 89-06-06 requires special repetitive inspections for all actuators, and the FAA has determined that the actuator modifications specified in Service Bulletin 27-301 must be applied to all of the actuators in order to eliminate these special repetitive inspections.

The airplane manufacturer commented that the AD implied that all inspection requirements were terminated upon incorporation of the modifications required by proposed paragraph (e). The modification described in Service Bulletin 27-301 only eliminates the shortened repetitive inspection intervals as required by paragraphs (a), (b), and (c). The actuators should then return to the routine inspection leakage check intervals. The FAA concurs. The FAA never intended to imply that the routine inspection requirements (as specified in an operator's maintenance program) were changed with regard to incorporation of the modification. A note has been added to the final rule for clarification of this point.

The airplane manufacturer also pointed out that the applicability of the inspections referred to in Service Bulletin A27-318 (actuators which may have missing or incorrectly installed seals) is specified by actuator serial number rather than by airplane serial number. The manufacturer suggested that the proposed rule be clarified with

regard to this distinction. The FAA concurs and paragraph (c) of the final rule has been changed accordingly.

One commenter proposed fewer hours between inspections, and that the time interval between inspections should not be increased when the actuators are modified. The FAA does not concur. Standard inspection procedures are utilized on many hydraulic components with satisfactory results. Once the rudder actuators are modified, there is no reason why any special shortened inspection requirements necessarily would be required.

One commenter suggested that the Model DC-9 series airplanes be required to be inspected more frequently, since these airplanes have accumulated more flight hours and the rudder actuator more likely would be fatigued. The FAA does not concur. The shortened inspections were the result of high seal wear, not a fatigue situation. There is no reason to address the older Model DC-9 actuators any differently from the Model DC-9-80 or MD-88 actuators.

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the changes previously described. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

There are approximately 1,598 Model DC-9 series, DC-9-80 series, and MD-88 series airplanes of the affected design in the worldwide fleet. It is estimated that 926 airplanes of U.S. registry will be affected by this AD. It will take approximately 10 work hours per airplane to accomplish the inspection, and 22 manhours per airplane to accomplish the modification; the average labor cost is \$55 per manhour. Required parts for the modification are estimated at \$197 per airplane. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$1,812,182, or \$1,957 per airplane.

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this action (1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT

Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A final evaluation has been prepared for this action and is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends 14 CFR part 39 of the Federal Aviation Regulations as follows:

PART 39—[AMENDED]

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by removing Amendment 39-6150 and by adding the following new airworthiness directive:

92-02-04. McDonnell Douglas: Amendment 39-8140. Docket No. 91-NM-150-AD. Supersedes AD 89-06-06, Amendment 39-6150.

Applicability: Model DC-9 series airplanes, Model DC-9-80 series airplanes, Model MD-88 airplanes, and C-9 (Military) series airplanes; serial numbers as listed in McDonnell Douglas DC-9 Service Bulletin A27-301, Revision 1, dated May 24, 1991; certificated in any category.

Compliance: Required as indicated, unless previously accomplished.

To prevent uncontrolled airplane sideslip due to an ineffective rudder actuator, accomplish the following:

(a) For Model DC-9-11, -12, -13, -14, -15, -15F, -21, and -87 series airplanes:

(1) Within 500 flight hours after April 12, 1989 (the effective date of AD-89-06-06, Amendment 39-6150), unless already accomplished within the last 1,000 flight hours, inspect the rudder actuator for internal hydraulic fluid leakage in accordance with McDonnell Douglas DC-9 Alert Service Bulletin A27-291, Revision 3, dated August 24, 1988.

(2) If the rudder actuator internal hydraulic fluid leakage is within the limits specified in that service bulletin, repeat the inspection at intervals not to exceed 1,500 flight hours.

(b) Except as provided in paragraph (c) of this AD, for Model DC-9-31, -32, -32F, -33, -34, -34F, -41, -51, -81, -82, -83, and MD-88 series airplanes:

(1) Within 1,500 flight hours after April 12, 1989 (the effective date of AD-89-06-06, Amendment 39-6150), unless already

accomplished within the last 1,500 flight hours, inspect the rudder actuator for internal hydraulic fluid leakage in accordance with McDonnell Douglas DC-9 Alert Service Bulletin A27-291, Revision 3, dated August 24, 1988.

(2) If the rudder actuator internal hydraulic fluid leakage is within the limits specified in that service bulletin, repeat the inspection at intervals not to exceed 3,000 flight hours.

(c) For Model DC-9-82, -83, and MD-88 series airplanes, with rudder actuator assembly serial numbers listed in McDonnell Douglas MD-80 Alert Service Bulletin A27-318, dated June 10, 1991:

(1) Within 1,500 flight hours after April 12, 1989 (the effective date of AD 89-06-06, Amendment 39-6150), or within 500 flight hours after the effective date of this amendment, whichever occurs earlier, inspect the rudder actuator assembly for internal hydraulic fluid leakage, in accordance with the Accomplishment Instructions of McDonnell Douglas MD-80 Alert Service Bulletin A27-318, dated June 10, 1991.

(2) If the rudder actuator internal hydraulic fluid leakage is within the limits specified in that service bulletin, repeat the inspection at intervals not to exceed 1,500 flight hours.

(d) If any inspection required by paragraph (a), (b), or (c) of this AD reveals that the rudder actuator exceeds the internal hydraulic fluid leakage limit specified in McDonnell Douglas DC-9 Alert Service Bulletin A27-291, Revision 3, dated August 24, 1988, or McDonnell Douglas MD-80 Alert Service Bulletin A27-318, dated June 10, 1991, as applicable, prior to further flight, replace the rudder actuator with a rudder actuator that is within those limits.

(e) For Model DC-9 series, Model DC-9-80 series, Model MD-88, and C-9 (Military) series airplanes: Within 10,000 flight hours after the effective date of this AD, modify the rudder actuator in accordance with the Accomplishment Instructions of McDonnell Douglas DC-9 Service Bulletin 27-301, dated June 21, 1989, or Revision 1, dated May 24, 1991. This modification constitutes terminating action for the repetitive inspections required by this AD.

Note: This terminating action only eliminates the need for the special shortened interval repetitive inspections of this AD. The actuators should then return to the routine inspection leakage check intervals as specified in the operators maintenance program.

(f) An alternative method of compliance or adjustment of the compliance time, which provides an acceptable level of safety, may be used when approved by the Manager, Los Angeles Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate.

Note: The request should be forwarded through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Los Angeles ACO.

(g) Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base in order to comply with the requirements of this AD.

(h) The inspections required by this AD shall be done in accordance with McDonnell Douglas DC-9 Alert Service Bulletin A27-291, Revision 3, dated August 24, 1988, or in accordance with McDonnell Douglas MD-80 Alert Service Bulletin A27-318, dated June 10, 1991, as applicable. The modification required by this AD shall be done in accordance with McDonnell Douglas DC-9 Service Bulletin 27-301, dated June 21, 1989; or McDonnell Douglas DC-9 Service Bulletin 27-301, Revision 1, dated May 24, 1991. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from McDonnell Douglas Corporation, Post Office Box 1771, Long Beach, California 90801. Attn: Business Unit Manager, Technical Publications & Technical Administration Support, C1-L5B (54-60). Copies may be inspected at the FAA, Northwest Mountain Region, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington; or at the Los Angeles Aircraft Certification Office, 3229 East Spring Street, Long Beach, California; or at the Office of the Federal Register, 1100 L Street NW., room 8041, Washington, DC.

(i) This amendment (39-8140), AD 92-02-04, becomes effective March 27, 1992.

Issued in Renton, Washington, on December 23, 1991.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 92-3970 Filed 2-20-92; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 95

[Docket No. 26771; Amdt. No. 368]

IFR Altitudes; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts miscellaneous amendments to the required IFR (instrument flight rules) altitudes and changeover points for certain Federal airways, jet routes, or

direct routes for which a minimum or maximum en route authorized IFR altitude is prescribed. This regulatory action is needed because of changes occurring in the National Airspace System. These changes are designed to provide for the safe and efficient use of the navigable airspace under instrument conditions in the affected areas.

EFFECTIVE DATE: March 5, 1992.

FOR FURTHER INFORMATION CONTACT: Paul J. Best, Flight Procedures Standards Branch (AFS-420), Technical Programs Division, Flight Standards Service Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8277.

SUPPLEMENTARY INFORMATION: This amendment to part 95 of the Federal Aviation Regulations (14 CFR part 95) amends, suspends, or revokes IFR altitudes governing the operation of all aircraft in IFR flight over a specified route or any portion of that route, as well as the changeover points (COPs) for Federal airways, jet routes, or direct routes as prescribed in part 95. The specified IFR altitudes, when used in conjunction with the prescribed changeover points for those routes, ensure navigation aid coverage that is adequate for safe flight operations and free of frequency interference. The reasons and circumstances which create the need for this amendment involve matters of flight safety, operational efficiency in the National Airspace System, and are related to published aeronautical charts that are essential to the user and provide for the safe and efficient use of the navigable airspace. In addition, those various reasons or circumstances require making this amendment effective before the next scheduled charting and publication date of the flight information to assure its timely availability to the user. The effective date of this amendment reflects those considerations. In view of the close and immediate relationship

between these regulatory changes and safety in air commerce, I find that notice and public procedure before adopting this amendment are unnecessary, impracticable, and contrary to the public interest and that good cause exists for making the amendment effective in less than 30 days.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 95

Aircraft, Airspace.

Issued in Washington, DC, on February 7, 1992.

Thomas C. Accardi,

Director, Flight Standards Service

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, part 95 of the Federal Aviation Regulations (14 CFR part 95) is amended as follows effective at 0901 UTC:

PART 95—IFR ALTITUDES

1. The authority citation for part 95 continues to read as follows:

Authority: 49 U.S.C. app. 1348, 1354, and 1510; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); and 14 CFR 11.49(b)(2).

2. Part 95 is amended to read as follows:

BILLING CODE 4910-13-M

REVISIONS TO MINIMUM ENROUTE IFR ALTITUDES & CHANGEOVER POINTS

AMENDMENT 368 EFFECTIVE DATE, MARCH 05, 1992

FROM	TO	MEA	FROM	TO	MEA
§95.6003 VOR FEDERAL AIRWAY 3			§95.6038 VOR FEDERAL AIRWAY 38		
IS AMENDED TO READ IN PART			IS AMENDED TO READ IN PART		
FLAT ROCK, VA VORTAC	GORDONSVILLE, VA VORTAC	2500	ELKINS, WV VORTAC	*DEKAY, WV FIX	9000
			*9500 - MRA		
			DEKAY, WV FIX	CEROL, VA FIX	9000
			GORDONSVILLE, VA VORTAC	*ROOKY, VA FIX	2500
			*2500 - MRA		
§95.6004 VOR FEDERAL AIRWAY 4			§95.6039 VOR FEDERAL AIRWAY 39		
IS AMENDED TO READ IN PART			IS AMENDED TO READ IN PART		
PAYET, ID FIX	*EMETT, ID FIX	5600			
	SE BND	9000			
	NW BND				
*9400 - MRA					
EMETT, ID FIX	BOISE, ID VORTAC	5600	SHEPS, VA FIX	GORDONSVILLE, VA VORTAC	3000
§95.6006 VOR FEDERAL AIRWAY 6			§95.6047 VOR FEDERAL AIRWAY 47		
IS AMENDED TO READ IN PART			IS AMENDED TO READ IN PART		
SELINGSGROVE, PA VORTAC	ALLENTOWN, PA VORTAC	13000	ROSEWOOD, OH VORTAC	FINDLAY, OH VORTAC	3000
ALLENTOWN, PA VORTAC	SOLBERG, NJ VORTAC	4500			
§95.6009 VOR FEDERAL AIRWAY 9			§95.6093 VOR FEDERAL AIRWAY 93		
IS AMENDED TO READ IN PART			IS AMENDED TO READ IN PART		
MC COMB, MS VORTAC	*ROMAR, MS FIX	2100	HAILS, PA FIX	*SNOWY, PA FIX	**4000
*4000 - MRA			*13000 - MRA		
			**3300 - MOCA		
			SNOWY, PA FIX	LYTEL, PA FIX	*4000
			*3300 - MOCA		
§95.6020 VOR FEDERAL AIRWAY 20			§95.6106 VOR FEDERAL AIRWAY 106		
IS AMENDED TO READ IN PART			IS AMENDED TO READ IN PART		
DONBE, LA FIX	NEW ORLEANS, LA VORTAC	*3500	GARDNER, MA VORTAC	MANCHESTER, NH VORTAC	4000
*1500 - MOCA					
§95.6029 VOR FEDERAL AIRWAY 29			§95.6123 VOR FEDERAL AIRWAY 123		
IS AMENDED TO READ IN PART			IS AMENDED TO READ IN PART		
EAST TEXAS, PA VORTAC	*SLATT, PA FIX	4000	MITCH, MD FIX	SWANN, MD FIX	5500
*13000 - MRA			SWANN, MD FIX	TACKS, MD FIX	7000
SLATT, PA FIX	WILKES-BARRE, PA VORTAC	4000			
§95.6031 VOR FEDERAL AIRWAY 31			§95.6140 VOR FEDERAL AIRWAY 140		
IS AMENDED TO READ IN PART			IS AMENDED TO READ IN PART		
PATUXENT, MD VORTAC	NOTTINGHAM, MD VORTAC	2500	MONTEBELLO, VA VOR/DME	*HOODE, VA FIX	5500
			*12000 - MRA		
			HOODE, VA FIX	CASANOVA, VA VORTAC	4000

FROM	TO	MEA	FROM	TO	MEA
§95.6147 VOR FEDERAL AIRWAY 147 IS AMENDED TO READ IN PART			§95.6375 VOR FEDERAL AIRWAY 375 IS AMENDED TO READ IN PART		
EAST TEXAS, PA VORTAC *13000 - MRA	*SLATT, PA FIX	4000	GORDONSVILLE, VA VORTAC	HANEY, VA FIX	4500
SLATT, PA FIX	WILKES-BARRE, PA VORTAC	4000	HANEY, VA FIX	FLUKY, VA FIX	12000
§95.6155 VOR FEDERAL AIRWAY 155 IS AMENDED TO READ IN PART			§95.6376 VOR FEDERAL AIRWAY 376 IS AMENDED TO READ IN PART		
BEYLO, GA FIX *2000 - MOCA	COLLIERS, SC VORTAC	*2500	GRUBY, VA FIX *13500 - MRA	*SABBI, VA FIX	2500
			SABBI, VA FIX	IRONS, MD FIX	2500
§95.6166 VOR FEDERAL AIRWAY 166 IS AMENDED TO READ IN PART			§95.6417 VOR FEDERAL AIRWAY 417 IS AMENDED TO READ IN PART		
BRIEF, NJ FIX	SEA ISLE, NJ VORTAC	2500	JACKSON, MS VORTAC *3300 - MRA **2000 - MOCA	*FANEN, MS FIX	**3000
§95.6174 VOR FEDERAL AIRWAY 174 IS AMENDED TO READ IN PART			§95.6440 VOR FEDERAL AIRWAY 440 IS AMENDED TO READ IN PART		
HENDERSON, WV VORTAC *2700 - MOCA	GAYED, WV FIX	*4000	*IVANN, AK FIX *5000 - MCA IVANN FIX, W BND **6000 - MOCA	FRIDA, AK FIX	**6500
GAYED, WV FIX *5500 - MRA	*CARLA, WV FIX	5500	*FRIDA, AK FIX *7000 - MCA FRIDA FIX, W BND **10000 - MRA ***9400 - MOCA #MEA IS ESTABLISHED WITH A GAP IN NAVIGATION SIGNAL COVERAGE.	**PUNTI, AK FIX	#***10000
CARLA, WV FIX	ELKINS, WV VORTAC	5500	PUNTI, AK FIX *8500 - MOCA	MIGAN, AK FIX	*10000
§95.6194 VOR FEDERAL AIRWAY 194 IS AMENDED TO READ IN PART			§95.6441 VOR FEDERAL AIRWAY 441 IS AMENDED TO READ IN PART		
SABINE PASS, TX VOR/DME *1600 - MOCA	GUSTI, LA FIX	*4000	GAINESVILLE, FL VORTAC *2000 - MOCA	MONIA, FL FIX	*4000
§95.6223 VOR FEDERAL AIRWAY 223 IS AMENDED TO READ IN PART			MONIA, FL FIX *2500 - MOCA	BRUNSWICK, GA VORTAC	*3000
HANEY, VA FIX	FLUKY, VA FIX	12000	§95.6444 VOR FEDERAL AIRWAY 444 IS AMENDED TO READ IN PART		
§95.6260 VOR FEDERAL AIRWAY 260 IS AMENDED TO READ IN PART			BOISE, ID VORTAC *9400 - MRA	*EMETT, ID FIX	5600
CHARLESTON, WV VORTAC *7000 - MRA **3100 - MOCA	*MONTs, WV FIX	**4000	EMETT, ID FIX	PAYET, ID FIX SE BND NW BND	5600 9000
§95.6266 VOR FEDERAL AIRWAY 266 IS AMENDED TO READ IN PART			§95.6291 VOR FEDERAL AIRWAY 291 IS AMENDED TO READ IN PART		
FRANKLIN, VA VORTAC	SUNNS, NC FIX	8500	WINSLOW, AZ VORTAC	FLAGSTAFF, AZ VOR/DME	9500

FROM	TO	MEA	FROM	TO	MEA
§95.6445 VOR FEDERAL AIRWAY 445 IS AMENDED TO READ IN PART			§95.6493 VOR FEDERAL AIRWAY 493 IS AMENDED TO READ IN PART		
MITCH, MD FIX	SWANN, MD FIX	5500	YORK, KY VORTAC *2800 - MOCA TARTO, OH FIX	TARTO, OH FIX APPLETON, OH VORTAC	*4000 3000
§95.6453 VOR FEDERAL AIRWAY 453 IS AMENDED TO READ IN PART			§95.6495 VOR FEDERAL AIRWAY 495 IS AMENDED TO READ IN PART		
GORDONSVILLE, VA VORTAC	CASANOVA, VA VORTAC	4000	LOFAL, WA FIX *4300 - MOCA	U.S. CANADIAN BORDER	*5400
§95.6476 VOR FEDERAL AIRWAY 476 IS AMENDED TO READ IN PART			§95.6555 VOR FEDERAL AIRWAY 555 IS AMENDED TO READ IN PART		
LYNCHBURG, VA VORTAC BENTE, VA FIX *9000 - MRA BRIL, VA FIX	BENTE, VA FIX *BRIL, VA FIX GORDONSVILLE, VA VORTAC	3500 9000 9000	MC COMB, MS VORTAC *3400 - MRA	*BANDO, MS FIX	2100

FROM

TO

MEA

MAA

§95.7061 JET ROUTE NO. 61

IS AMENDED TO READ IN PART—

EDDYS, NC FIX
FORTS, VA FIX

FORTS, VA FIX
NOTTINGHAM, MD VORTAC

31000 45000
18000

§95.8003 VOR FEDERAL AIRWAYS CHANGEOVER POINTS

AIRWAY SEGMENT

CHANGEOVER POINTS

FROM

TO

DISTANCE

FROM

V-510

IS AMENDED BY ADDING

EMMONAK, AK VOR/DME

ANVIK, AK NDB/DME

50

EMMONAK

[FR Doc. 92-3812 Filed 2-20-92; 8:45 am]

BILLING CODE 4910-13-C

DEPARTMENT OF JUSTICE**28 CFR Part O****(Tax Division Directive No. 95)****Redelegation of Authority To Compromise and Close Civil Claims****AGENCY:** Department of Justice.**ACTION:** Final rule.

SUMMARY: This directive increases the authority of the Attorney-in-Charge of the Dallas Field Office of the Tax Division in accepting offers in compromise. Under this new directive, the Attorney-in-Charge of the Dallas Field Office can accept offers in compromise in all civil cases in which the amount of the Government concession, exclusive of statutory interest, does not exceed \$75,000. This directive also eliminates the redelegation to the Chief of the Office of Special Litigation. This directive supersedes Tax Division Directive No. 82.

EFFECTIVE DATE: February 21, 1992.**FOR FURTHER INFORMATION CONTACT:**

Milan Karlan, Tax Division, Department of Justice, Washington, DC 20530 (202) 307-6567.

SUPPLEMENTARY INFORMATION: This directive increases the authority of the Attorney-in-Charge of the Dallas Field Office of the Tax Division in accepting offers in compromise to further the efficient management of the Department of Justice. Under the new directive, the Attorney-in-Charge can accept offers in compromise in all civil cases in which the amount of the Government concession, exclusive of statutory interest, does not exceed \$75,000. This directive also eliminates the redelegation to the Chief of the Office of Special Litigation because the Office of Special Litigation has been renamed the Civil Trial Section, Central Region. The existing redelegation to the Chiefs of the Civil Trial Sections is set forth in Sections 1 and 2 of this directive. This directive supercedes Tax Division Directive No. 82.

This rule relates to internal agency management. Therefore, pursuant to 5 U.S.C. 553, notice of proposed rulemaking and opportunity for comments are not required, and this rule may be made effective less than 30 days after publication in the *Federal Register*. This regulation is not a major rule within the meaning of Executive 12291. Therefore, a regulatory impact analysis has not been prepared. Finally, this regulation does not have an impact on small entities and, therefore, is not subject to the Regulatory Flexibility Act.

List of Subjects in 28 CFR Part O

Authority delegations (Government Agencies), Government employees, Organization and functions (Government agencies).

PART O—ORGANIZATION OF THE DEPARTMENT OF JUSTICE

Accordingly, 28 CFR part O is amended as follows:

1. The authority citation for part O continues to read as follows:

Authority: 5 U.S.C. 301; 28 U.S.C. 509, 510, 515-19.

2. The Appendix to subpart Y of Part O is amended by removing Tax Division Directive No. 82.

3. The Appendix to Subpart Y of Part O is amended by adding Tax Division Directive No. 95 to read as follows:

**Appendix to Subpart Y—
Redelegations of Authority to
Compromise and Close Civil Claims**

* * * * *

Tax Division

* * * * *

[Directive No. 95]

By virtue of the authority vested in me by part O of title 28 of the Code of Federal Regulations, particularly sections 0.70, 0.160, 0.162, 0.164, 0.166, and 0.168, it is hereby ordered as follows:

Section 1. The Chiefs of the Civil Trial Sections, the Claims Court Section, and the Appellate Section, and the Attorney-in-Charge of Dallas Field Office are authorized to reject offers in compromise, regardless of amount, provided that such action is not opposed by the agency or agencies involved.

Section 2. Subject to the conditions and limitations set forth in Section 8 hereof, the Chiefs of the Civil Trial Sections and the Claims Court Section are authorized to:

(A) Accept offers in compromise in all civil cases in which the amount of the Government's concession, exclusive of statutory interest, does not exceed \$200,000.

(B) Approve administrative settlements not exceeding \$100,000, exclusive of statutory interest.

(C) Approve concessions (other than by compromise) of civil claims asserted by the Government in all cases in which the gross amount of the original claim does not exceed \$100,000.

(D) Accept offers in compromise in injunction or declaratory judgment suits against the United States in which the principal amount of the related liability, if any, does not exceed \$200,000, and

(E) Accept offers in compromise in all other nonmonetary cases,

provided that such action is not opposed by the agency or agencies involved, and provided further that the case is not subject to reference to the Joint Committee on Taxation.

Section 3. Subject to the conditions and limitations set forth in Section 8 hereof, the

Chief of the Appellate Section is Authorized to:

(A) Accept offers in compromise with reference to litigating hazards of the issues on appeal in all civil cases in which the amount of the Government's concession, exclusive of statutory interest, does not exceed \$200,000.

(B) Accept offers in compromise in declaratory judgment suits against the United States in which the principal amount of the related liability, if any, does not exceed \$200,000, and

(C) Accept offers in compromise in all other nonmonetary cases which do not involve issues concerning collectibility, provided that such action is not opposed by the agency or agencies involved or the chief of the section in which the case originated, and provided further that the case is not subject to reference to the Joint Committee on Taxation.

Section 4. Subject to the conditions and limitations set forth in Section 8 hereof, the Attorney-in-Charge of the Dallas Field Office is authorized to accept offers in compromise in all civil cases in which the amount of the Government's concession, exclusive of statutory interest, does not exceed \$75,000, provided that such action is not opposed by the agency or agencies involved, and provided further that the case is not subject to reference to the Joint Committee on Taxation.

Section 5. Subject to the conditions and limitations set forth in Section 8 hereof, the Chief of the Office of Review is authorized to:

(A) Accept offers in compromise in all civil cases in which the amount of the Government's concession, exclusive of statutory interest, does not exceed \$500,000.

(B) Approve administrative settlements not exceeding \$500,000, exclusive of statutory interest.

(C) Approve concessions (other than by compromise) of civil claims asserted by the Government in all cases in which the gross amount of the original claim does not exceed \$500,000.

(D) Accept offers in compromise in all nonmonetary cases, and

(E) Reject offers in compromise, or disapprove administrative settlements or concessions, regardless of amount, provided that the action is not opposed by the agency or agencies involved or the chief of the section to which the case is assigned, and provided further that the case is not subject to reference to the Joint Committee on Taxation.

Section 6. Subject to the conditions and limitations set forth in Section 8 hereof, each of the Deputy Assistant Attorneys General is authorized to:

(A) Accept offers in compromise of claims against the Government in all cases in which the amount of the Government's concession, exclusive of statutory interest, does not exceed \$750,000.

(B) Approve administrative settlements not exceeding \$750,000, exclusive of statutory interest.

(C) Accept offers in compromise of claims on behalf of the Government in all cases in which the difference between the gross

amount of the original claim and the proposed settlement does not exceed \$750,000 or 10 percent of the original claim, whichever is greater.

(D) Approve concessions (other than by compromise) of civil claims asserted by the Government in all cases in which the gross amount of the original claim does not exceed \$750,000.

(E) Accept offers in compromise in all nonmonetary cases, and

(F) Reject offers in compromise, or disapprove administrative settlements or concessions, regardless of amount, provided that such action is not opposed by the agency or agencies involved, and provided further that the case is not subject to reference to the Joint Committee on Taxation.

Section 7. Subject to the conditions and limitations set forth in Section 8 hereof, United States Attorneys are authorized to:

(A) Reject offers in compromise of judgments in favor of the Government, regardless of amount,

(B) Accept offers in compromise of judgments in favor of the Government where the amount of the judgment does not exceed \$200,000, and

(C) Terminate collection activity by that office as to judgments in favor of the Government which do not exceed \$200,000 if the United States Attorney concludes that the judgment is uncollectible,

provided that such action has the concurrence in writing of the agency or agencies involved, and provided further that this authorization extends only to judgments which have been formally referred to the United States Attorney for collection.

Section 8. The authority redelegated herein shall be subject to the following conditions and limitations:

(A) When, for any reason, the compromise or administrative settlement or concession of a particular claim, as a practical matter, will control or adversely influence the disposition of other claims totalling more than the respective amounts designated in Sections 2, 3, 4, 5, 6, and 7 the case shall be forwarded for review at the appropriate level.

(B) When, because of the importance of a question of law or policy presented, the position taken by the agency or agencies or by the United States Attorney involved, or any other considerations, the person otherwise authorized herein to take final action (or the Chief of the Office of Review, in cases which have been considered by that office) is of the opinion that the proposed disposition should be reviewed at a higher level, the case shall be forwarded for such review.

(C) If the Department has previously submitted a case to the Joint Committee on Taxation leaving one or more issues unresolved, any subsequent compromise or concession in that case must be submitted to the Joint Committee, whether or not the overpayment exceeds the amount specified in Section 6405 of the Internal Revenue Code.

(D) Nothing in this Directive shall be construed as altering any provision of subpart Y of part 6 of title 28 of the Code of Federal Regulations requiring the submission of certain cases to the Attorney General, the

Deputy Attorney General, or the Solicitor General.

(E) Authority to approve recommendations that the Government confess error, or make administrative settlements, in cases on appeal, is excepted from the foregoing redelegations.

(F) The Assistant Attorney General, at any time, may withdraw any authority delegated by this Directive as it relates to any particular case or category of cases, or to any part thereof.

Section 9. This Directive supersedes Tax Division Directive No. 82, effective June 5, 1990.

Section 10. This Directive shall become effective on the date of its publication in the Federal Register.

* * *

Dated: January 6, 1992.

Shirley D. Peterson,

Assistant Attorney General, Tax Division.

Dated: February 1, 1992.

Approved:

George J. Terwilliger, III,

Acting Deputy Attorney General.

[FR Doc. 92-4084 Filed 2-20-92; 8:45 am]

BILLING CODE 4410-01-M

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Chapter I and Parts 25, 28, 33, 273, 278, 280, and 282

Department of Defense Grants Program

AGENCY: Office of the Secretary, DoD.

ACTION: Final rule.

SUMMARY: This makes administrative changes within chapter 1 of title 32 of the Code of Federal Regulations for ease of use and to place the Department of Defense grants program documents under a designated subchapter.

EFFECTIVE DATE: February 21, 1992.

FOR FURTHER INFORMATION CONTACT: L.M. Bynum, Correspondence and Directives Directorate, Washington Headquarters Services, Pentagon, Washington, DC 20301-1155, telephone 703-697-4111.

SUPPLEMENTARY INFORMATION:

List of Subjects

32 CFR Parts 25 and 280

Administrative practice and procedure, Drug abuse, Grant programs, Loan programs, Reporting and recordkeeping requirements.

32 CFR Parts 28 and 282

Government contracts, Grant programs, Loan programs, Lobbying, Penalties, Reporting and recordkeeping requirements.

32 CFR Parts 33 and 278

Accounting, Grant programs, Indians, Intergovernmental relations, Reporting and recordkeeping requirements.

Accordingly, under the authority of 10 U.S.C. 131, 32 CFR chapter 1, is amended as follows:

PART 273—[REMOVED]

1. Part 273 is removed.

PARTS 1 THROUGH 20—[ADDED AND RESERVED]

2. Parts 1 through 20 are added to subchapter A and reserved.

3. Subchapters B through G are redesignated as subchapters C through H.

4. A new subchapter B heading is added to read as follows:

SUBCHAPTER B—DOD GRANTS REGULATIONS

PART 280—[REDESIGNATED AS PART 25]

PART 282—[REDESIGNATED AS PART 28]

PART 278—[REDESIGNATED AS PART 33]

5. 32 CFR part 280 is redesignated as part 25; part 282 is redesignated as part 28; part 278 is redesignated as part 33, and these newly redesignated parts are transferred into newly added subchapter B.

PART 25—[AMENDED]

6. The authority citation for part 25 continues to read as follows:

Authority: E.O. 12549; sec. 515-5160 of the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, title V, subtitle D; 41 U.S.C. 701 et seq.).

§ 25.100 [Amended]

7. Newly redesignated § 25.100(b)(3) is amended by revising “§ 280.105(i)” to read “§ 25.105(i)”

§ 25.110 [Amended]

8. Newly redesignated § 25.110(b) is amended by revising “§ 280.200” to read “§ 25.200”, “§ 280.110(a)” to read “§ 25.110(a)”, “§ 280.325” to read “§ 25.325”, and “§ 280.420” to read “§ 25.420”

§ 25.200 [Amended]

9. Newly redesignated § 25.200 is amended in paragraph (a) by revising “§ 280.215” to read “§ 25.215” and in paragraph (b) by revising “§ 280.110(a)(1)(i)” to read “§ 25.110(a)(1)(i)”

§ 25.205 [Amended]

10. Newly redesignated § 25.205 is amended by revising "§ 280.105(i)" to read "§ 25.105(i)"

§ 25.210 [Amended]

11. Newly redesignated § 25.210 is amended by revising "§ 280.315" to read "§ 25.315"

§ 25.215 [Amended]

12. Newly redesignated § 25.215 is amended by revising "§ 280.200" to read "§ 25.200" and "§ 280.505(a)" to read "§ 25.505(a)"

§ 25.220 [Amended]

13. Newly redesignated § 25.220(b) is amended by revising "§ 280.215" to read "§ 25.215"

§ 25.225 [Amended]

14. Newly redesignated § 25.225 is amended by revising "§ 280.215" to read "§ 25.215" and "§ 280.220" to read "§ 25.220"

§ 25.300 [Amended]

15. Newly redesignated § 25.300 is amended by revising "§ 280.305" to read "§ 25.305" and "§ 280.310 through 280.314" to read "§ 25.310 through 25.314"

§ 25.305 [Amended]

16. Newly redesignated § 25.305, introductory text, is amended by revising "§ 280.300 through 280.314" to read "§ 25.300 through 25.314", paragraph (c)(2) by revising "§ 280.215" to read "§ 25.215" and "§ 280.220" to read "§ 25.220", paragraph (c)(4) by revising "§ 280.315" to read "§ 25.315", and paragraph (c)(5) by revising "§ 280.615" to read "§ 25.615"

§ 25.310 [Amended]

17. Newly redesignated § 25.310 is amended by revising "§ 280.311 through 280.314" to read "§ 25.311 through 25.314"

§ 25.312 [Amended]

18. Newly redesignated § 25.312 is amended in paragraph (c) by revising "§ 280.305" to read "§ 25.305" and paragraph (d) by revising "§ 280.311 through 280.314" to read "§ 25.311 through 25.314"

§ 25.314 [Amended]

19. Newly redesignated § 25.314(d)(1)(iv) is amended by revising "§ 280.215" to read "§ 25.215"

§ 25.320 [Amended]

20. Newly redesignated § 25.320 is amended in paragraph (a)(2) by revising "§ 280.305(c)(5)" to read "§ 25.305(c)(5)" and paragraph (b) by revising

"§ 280.311 through 280.314" to read "§ 25.311 through 25.314"

§ 25.325 [Amended]

21. Newly redesignated § 25.325(a)(2) is amended by revising "§ 280.311 through 280.314" to read "§ 25.311 through 25.314"

§ 25.400 [Amended]

22. Newly redesignated § 25.400 is amended in paragraph (a) by revising "§ 280.405" to read "§ 25.405" and "§ 280.410 through 280.413" to read "§ 25.410 through 25.413", and paragraph (b)(1) by revising "§ 280.405" to read "§ 25.405"

§ 25.405 [Amended]

23. Newly redesignated § 25.405 is amended in paragraph (a) introductory text, by revising "§ 280.400 through 280.413" to read "§ 25.400 through 25.413", paragraph (a)(1) by revising "§ 280.305(a)" to read "§ 25.305(a)", and paragraph (a)(2) by revising "§ 280.305" to read "§ 25.305"

§ 25.410 [Amended]

24. Newly redesignated § 25.410(b) is amended by revising "§ 280.411 through 280.413" to read "§ 25.411 through 25.413"

§ 25.411 [Amended]

25. Newly redesignated § 25.411 is amended in paragraph (d) by revising "§ 280.405" to read "§ 25.405" and paragraph (f) by revising "§ 280.411 through 280.413" to read "§ 25.411 through 25.413"

§ 25.413 [Amended]

26. Newly redesignated § 25.413, introductory text, is amended by revising "§ 280.320(c)" to read "§ 25.320(c)"

§ 25.420 [Amended]

27. Newly redesignated § 25.420 is amended by revising "§ 280.325" to read "§ 25.325" and "§ 280.410 through 280.413" to read "§ 25.410 through 25.413"

§ 25.505 [Amended]

28. Newly redesignated § 25.505 is amended in paragraph (a) by revising "§ 280.215" to read "§ 25.215" and paragraph (b) by revising "§ 280.500(b)" to read "§ 25.500(b)" and "§ 280.215" to read "§ 25.215"

§ 25.605 [Amended]

29. Newly redesignated § 25.605(a) is amended by revising "§ 280.105" to read "§ 25.105"

§ 25.615 [Amended]

30. Newly redesignated § 25.615(a) is amended by revising "§ 280.630" to read "§ 25.630"

§ 25.620 [Amended]

31. Newly redesignated § 25.620 is amended in paragraph (a) introductory text by revising "§ 280.615" to read "§ 25.615" and paragraph (b) by revising "§ 280.320(a)(2)" to read "§ 25.320(a)(2)"

PART 28—[AMENDED]

32. The authority citation for part 33 continues to read as follows:

Authority: 5 U.S.C. 301; 10 U.S.C. 113.

§§ 28.200, 28.205, and 28.300 [Amended]

33. Newly redesignated § 28.200(a), § 28.205(a) and § 28.300(a) are amended by revising "§ 282.100(a)" to read "§ 28.100(a)" and newly redesignated § 28.300(b) by revising "§ 282.110 (a) and (b)" to read "§ 28.110 (a) and (b)"

PART 33—[AMENDED]

34. The authority citation for part 33 continues to read as follows:

Authority: 5 U.S.C. 301; 10 U.S.C. 113.

§ 33.4 [Amended]

35. Newly redesignated § 33.4 is amended in paragraph (a) by revising "§ 278.6" to read "§ 33.6" and paragraph (b) by revising "§ 278.4(a) (3) through (8)" to read "§ 33.4(a) (3) through (8)"

§ 33.5 [Amended]

36. Newly redesignated § 33.5 is amended by revising "§ 278.6" to read "§ 33.6"

§ 33.21 [Amended]

37. Newly redesignated § 33.21(g)(2) is amended by revising "§ 278.43(c)" to read "§ 33.43(c)"

§ 33.24 [Amended]

38. Newly redesignated § 33.24 is amended in paragraph (b)(4) by revising "§ 278.25" to read "§ 33.25" and "§ 278.25(g)" to read "§ 33.25(g)", and paragraph (e)(2)(ii) by revising "§ 278.22" to read "§ 33.22"

§ 33.25 [Amended]

39. Newly redesignated § 33.25 is amended in paragraph (e) by revising "§ 278.34" to read "§ 33.34" and paragraph (f) by revising "§ 278.31" to read "§ 33.31"

§ 33.26 [Amended]

40. Newly redesignated § 33.26(c) is amended by revising "§ 278.36" to read "§ 33.36"

§ 33.30 [Amended]

41. Newly redesignated § 33.30 is amended in paragraph (b) by revising "§ 278.22" to read "§ 33.22", paragraph (d)(4) by revising "§ 278.36" to read

"§ 33.36", and paragraph (f)(2) "§ 278.22" to read "§ 33.22"

§ 33.32 [Amended]

42. Newly redesignated § 33.32 is amended in paragraph (c)(3) by revising "§ 278.25(a)" to read "§ 33.25(a)" and paragraph (g)(2) by revising "§ 278.32(e)" to read "§ 33.32(e)"

§ 33.36 [Amended]

43. Newly redesignated § 33.36 is amended in paragraph (c) (1) introductory text, by revising "§ 278.36" to read "§ 33.36", paragraph (d)(2) introductory text, by revising "§ 278.36(d)(2)(i)" to read "§ 33.36(d)(2)(i)", and paragraph (f)(3) by revising "§ 278.22" to read "§ 33.22"

§ 33.37 [Amended]

44. Newly redesignated § 33.37 is amended in paragraph (a)(3) by revising "§ 278.42" to read "§ 33.42"; paragraph (c)(1) by revising "§ 278.10" to read "§ 33.10", paragraph (c)(2) by revising "§ 278.11" to read "§ 33.11", paragraph (c)(3) by revising "§ 278.21" to read "§ 33.21", and paragraph (c)(4) by revising "§ 278.50" to read "§ 33.50"

§ 33.41 [Amended]

45. Newly redesignated § 33.41 is amended in paragraph (b) introductory text, by revising "§ 278.41(e)(2)(iii)" to read "§ 33.41(e)(2)(iii)"; paragraph (d)(3) by revising "§ 278.41(b)(3)" to read "§ 33.41(b)(3)", paragraph (e)(1)(i) by revising "§ 278.41(d)" to read "§ 33.41(d)", paragraph (e)(1)(ii) by revising "§ 278.41(b)(3)" to read "§ 33.41(b)(3)", paragraph (e)(2)(i) by revising "§ 278.41(b)(3) and (4)" to read "§ 33.41(b)(3) and (4)", paragraph (e)(2)(ii) by revising "§ 278.41(d)" to read "§ 33.41(d)", paragraph (e)(2)(iii) by revising "§ 278.41(b)" to read "§ 33.41(b)"; and paragraph (e)(3) by revising "§ 278.41(b)(2)" to read "§ 33.41(b)(2)"

§ 33.42 [Amended]

46. Newly redesignated § 33.42(a)(2) is amended by revising "§ 278.36(i)(10)" to read "§ 33.36(i)(10)"

§ 33.43 [Amended]

47. Newly redesignated § 33.43(d) is amended by revising "§ 278.35" to read "§ 33.35"

§ 33.44 [Amended]

48. Newly redesignated § 33.44, introductory text and paragraph (b) are amended by revising "§ 278.43" to read "§ 33.43"

§ 33.50 [Amended]

49. Newly redesignated § 33.50(b)(5) is amended by revising "§ 278.32(f)" to read "§ 33.32(f)"

§ 33.51 [Amended]

50. Newly redesignated § 33.51 is amended in paragraph (c) by revising "§ 278.42" to read "§ 33.42"; paragraph (d) by revising "§§ 278.31 and 278.32" to read "§§ 33.31 and 33.32"; and paragraph (e) by revising "§ 278.26" to read "§ 33.26"

Dated: February 13, 1992.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 92-3822 Filed 2-20-92; 8:45 am]

BILLING CODE 3810-01-M

LIBRARY OF CONGRESS

Copyright Office

37 CFR Part 202

[Docket No. RM 91-6]

Registrability of Computer Programs That Generate Typefaces

AGENCY: Library of Congress, Copyright Office.

ACTION: Final regulation.

SUMMARY: The purpose of this Final Regulation is to clarify the Copyright Office's practices regarding registration of claims to copyright in computer programs used in the generation of digitized representations of typeface designs. This regulation amends 37 CFR 202.1 to state the Office's existing practice in this respect. Pursuant to Congress's judgment in the 1976 Act¹ and case law,² the Copyright Office does not register claims to copyright in typeface designs as such, whether generated by a computer program, or represented in drawings, hard metal type, or any other form.

The Office does, however, register claims in original computer programs whether or not the end result or intended use of the computer program involves uncopyrightable elements or products. In the past, the Office has required a disclaimer for computer programs containing data depicting digitized representations of typeface designs. Due to changes in the industry and the administrative burden caused

by correspondence, the Office will no longer require such disclaimers. Instead, in order to avoid any confusion about the scope of certificates of registration for computer programs used in the generation of digitized representations of typeface, the Office will not accept a nature of authorship statement of "entire work," "entire computer program," "entire text," or the like. Only descriptions such as "computer program" should be used. The scope of the copyright will be, as in the past, a matter for the courts to determine.

EFFECTIVE DATE: February 21, 1992.

FOR FURTHER INFORMATION CONTACT:

Dorothy Schrader, General Counsel, Copyright Office, Library of Congress, Washington, DC 20540. Telephone (202) 707-8380.

SUPPLEMENTARY INFORMATION: On September 29, 1988, the Copyright Office published a Notice of Policy Decision regarding registration practices for computer programs used in conjunction with digitized typeface, typefont, and letterforms. 53 FR 38110. That decision was the result of a Notice of Inquiry published on October 10, 1986. 51 FR 36410. The Policy Decision, based on the 1986 Notice of Inquiry, reiterated a number of previous registration decisions made by the Office. First, under existing law, typeface as such is not registrable. The Policy Decision then went on to state the Office's position that "data that merely represents an electronic depiction of a particular typeface or individual letterform" is also not registrable. Second, original computer programs are registrable, regardless of whether or not the functional result achieved is the generation of unregistrable typeface, typefonts, or letterforms. The Policy Decision concluded that, where a "master computer program includes data that fixes or depicts a particular typeface, typefont, or letterform, the registration application must disclaim copyright in that uncopyrightable data."

The Copyright Office has received a number of applications stating claims for computer programs used in conjunction with the generation or design of typeface, typefonts, or letterforms. In 1991, the Office became concerned that these claims indicated there had been a significant technological advance since the 1986 Notice of Inquiry. Of particular interest was the fact that some companies now license typeface in digitized form before they write a computer program permitting users to generate the typeface on low resolution and other printers.

¹ See H.R. REP. NO. 94-1476, 94th Cong., 2d Sess. 55 (1976): "Congress has considered, but chosen to defer, the possibility of protecting the design of typefaces." Thus Congress could protect typeface designs under the Copyright Act if it chose.

² See *Eltra Corp. v. Ringer*, 579 F.2d 294 (4th Cir. 1978).

In order to gain information, the Copyright Office held a Public Hearing on October 4, 1991 and received 21 written submissions. The majority of those testifying and submitting comments favored abandoning the disclaimer requirement. After a careful review of the testimony and the written comments, the Copyright Office is persuaded that creating scalable typefaces using already-digitized typeface represents a significant change in the industry since our previous Policy Decision. We are also persuaded that computer programs designed for generating typeface in conjunction with low resolution and other printing devices may involve original computer instructions entitled to protection under the Copyright Act. For example, the creation of scalable font output programs to produce harmonious fonts consisting of hundreds of characters typically involves many decisions in drafting the instructions that drive the printer. The expression of these decisions is neither limited by the unprotectible shape of the letters nor functionally mandated. This expression, assuming it meets the usual standard of authorship, is thus registrable as a computer program.

The Office has also gained considerable administrative experience in the last three years with the use of disclaimers. A large amount of correspondence has been necessitated by the requirement of disclaimers. The public has also been confused about the effect, if any, of variants in the language of particular disclaimers. We are persuaded that the usefulness of disclaimers is outweighed by these drawbacks, and, thus, we will no longer require a disclaimer where the applicant does not state a claim in uncopyrightable material.

Final Regulation

In light of the heavy administrative burden imposed by disclaimers, the Copyright Office has concluded that the best course is to amend its regulations to state its opinion that digitized typeface as typeface is unregistrable, and to delete the disclaimer requirement. The term "typeface" is intended to encompass typefonts, letterforms, and the like. As part of the deletion of the disclaimer requirement, in order to avoid public confusion regarding the scope of certificates of registration issued for computer programs containing original instructions as well as digitized representations of typeface, applicants should not describe the nature of authorship as "entire work," "entire computer program," "entire text" or the

like. Instead, descriptions such as "computer program" should be used. This preference regarding the nature of authorship statement will be included in Compendium II of Copyright Office Practices, but not in the Code of Federal Regulations. Because this regulation does not represent a substantive change in the rights of copyright claimants, claimants possessing already-issued certificates cannot submit a supplementary application for an already registered work for the purpose of removing the disclaimer.

With respect to the Regulatory Flexibility Act, the Copyright Office takes the position that this Act does not apply to Copyright Office rulemaking. The Copyright Office is a department of the Library of Congress and is a part of the legislative branch. Neither the Library of Congress nor the Copyright Office is an "agency" within the meaning of the Administrative Procedure Act of June 11, 1946, as amended (title 5, chapter 5 of the U.S. Code, subchapter II and chapter 7). The Regulatory Flexibility Act consequently does not apply to the Copyright Office since that Act affects only those entities of the Federal Government that are agencies as defined in the Administrative Procedure Act.

Alternatively, if it is later determined by a court of competent jurisdiction that the Copyright Office is an "agency" subject to the Regulatory Flexibility Act, the Register of Copyrights has determined and hereby certifies that this regulation will have no significant negative impact on small businesses.

List of Subjects in 37 CFR Part 202

Registration of claims to copyright, Claims to copyright, Copyright registration.

Final Regulations

In consideration of the foregoing, the Copyright Office is amending part 202 of 37 CFR, chapter II in the manner set forth below.

PART 202—REGISTRATION OF CLAIMS—[AMENDED]

1. The authority citation for part 202 continues to read as follows:

Authority: Section 702, 90 Stat. 2541; 17 U.S.C. 702.

§ 202.1 [Amended]

2. Section 202.1(e) is added to read as follows:

* * * * *

(e) Typeface as typeface.

Dated: February 4, 1992.

Ralph Oman,
Register of Copyrights.

Approved by:
James H. Billington,
The Librarian of Congress.

[FR Doc. 92-4008 Filed 2-20-92; 8:45 am]

BILLING CODE 1410-07-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 89-592; RM-7078]

Radio Broadcasting Services; Cedar Falls, IA

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission, at the request of Denise Neubauer, allots Channel 253C3 to Cedar Falls, Iowa, as the community's first local FM service. See 55 FR 881, January 10, 1990. Channel 253C3 can be allotted to Cedar Falls in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction. The coordinates for Channel 253C3 are North Latitude 42-31-30 and West Longitude 92-27-06. With this action, this proceeding is terminated.

DATES: Effective April 3, 1992. The window period for filing applications will open on April 6, 1992, and close on May 6, 1992.

FOR FURTHER INFORMATION CONTACT: Leslie K. Shapiro, Mass Media Bureau, (202) 634-8530.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 89-592, adopted February 7, 1992, and released February 18, 1992. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (room 230), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, Downtown Copy Center, (202) 452-1422, 1714 21st Street NW., Washington, DC 20036.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303.

§73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Iowa, is amended by adding Cedar Falls, Channel 253C3.

Federal Communications Commission.

Michael C. Ruger,

Assistant Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 92-4066 Filed 2-20-92; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 675

[Docket No. 911172-2021]

Groundfish of the Bering Sea and Aleutian Islands Area

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Notice of closure.

SUMMARY: The Director, Alaska Region, NMFS (Regional Director), has determined that the first quarter's allowance of prohibited species catch (PSC) of Pacific halibut for the "Domestic Annual Processing (DAP) other fishery" has been reached. NMFS is prohibiting directed fishing in the Bering Sea and Aleutian Island management area (BSAI) for: (A) Pollock by vessels using other than pelagic trawl gear, and (B) Pacific cod by vessels using trawl gear. This action is necessary to prevent the first quarter allowance of Pacific halibut to the "DAP other fishery" from being exceeded. The intent of this action is to ensure optimum use of groundfish while conserving Pacific halibut stocks.

EFFECTIVE DATES: This closure is effective 12 noon, Alaska local time (A.l.t.), February 16, 1992, through midnight, A.l.t., March 29, 1992.

FOR FURTHER INFORMATION CONTACT: Andrew N. Smoker, Resource Management Specialist, NMFS, 907-586-7228.

SUPPLEMENTARY INFORMATION: The Fishery Management Plan for the Groundfish Fishery in the BSAI (FMP) governs the groundfish fishery in the exclusive economic zone within the BSAI under the Magnuson Fishery Conservation and Management Act. The FMP was prepared by the North Pacific Fishery Management Council and is implemented by regulations appearing at 50 CFR 611.93 and parts 620 and 675.

Regulations appearing at § 675.21(a)(5) establish the secondary PSC limit of Pacific halibut caught while conducting any domestic annual harvest trawl fishery for groundfish in the BSAI during any fishing year as an amount of Pacific halibut equivalent to 5,333 metric tons (mt). Further, § 675.21(b) provides that the PSC limit of Pacific halibut may be apportioned to fishery categories on a seasonal basis. Under § 675.21(b)(4), one such category is the "DAP other fishery." The final notice of initial specifications of BSAI groundfish for 1992 (57 FR 3952, February 3, 1992) established the 1992 first quarter Pacific halibut bycatch allowance in the "DAP other fishery" as 1,774 mt.

Under § 675.21(c)(2)(iv), the Regional Director has determined that U.S. fishing vessels using trawl gear have caught the 1992 first quarter PSC allowance of Pacific halibut in the BSAI while participating in the "DAP other fishery." NMFS is publishing this notice in the Federal Register closing the BSAI to directed fishing effective 12 noon, A.l.t. February 16, 1992, through midnight, A.l.t., March 29, 1992, for: (A) Pollock by trawl vessels using other than pelagic trawl gear, and (B) Pacific cod by vessels using trawl gear.

In accordance with § 675.20(h)(1), after this closure, operators of vessels using trawl gear other than pelagic trawl gear may not retain at any time during a trip an amount of pollock equal to or greater than 20 percent of the aggregate catch of the other fish retained at the same time during the same trip as measured in round weight equivalents. Vessels using trawl gear may not retain at any time during a trip an amount of Pacific cod equal to or greater than 20 percent of the aggregate catch of the other fish retained at the same time during the same trip as measured in round weight equivalents.

Classification

This action is taken under § 675.21 and complies with E.O. 12291.

List of Subjects in 50 CFR Part 675

Fish, Fisheries, Reporting and recordkeeping requirements.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: February 14, 1992.

David S. Crestin,

Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 92-3996 Filed 2-14-92; 5:05 pm]

BILLING CODE 3510-22-M

50 CFR Part 675

[Docket No. 911172-2021]

Groundfish of the Bering Sea and Aleutian Islands Area

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Notice of closure.

SUMMARY: The Director, Alaska Region, NMFS (Regional Director), has determined that the 1992 annual allowance of the prohibited species catch (PSC) and *C. bairdi* Tanner crab for the "Domestic Annual Processing (DAP) other fishery" has been reached. NMFS is prohibiting directed fishing in bycatch limitation zone (Zone 1) in the Bering Sea and Aleutian Islands Area (BSAI) for pollock by vessels using trawl gear other than pelagic trawl gear and Pacific cod by vessels using trawl gear. This action is necessary to prevent the annual bycatch allowance of *C. bairdi* to the "DAP other fishery" from being exceeded. The intent of this action is to ensure optimum use of groundfish while conserving *C. bairdi* stocks.

EFFECTIVE DATES: This closure is effective 12 noon, Alaska local time (A.l.t.), February 15, 1992, through midnight, A.l.t., December 31, 1992.

FOR FURTHER INFORMATION CONTACT: Andrew N. Smoker, Resource Management Specialist, NMFS, 907-586-7228.

SUPPLEMENTARY INFORMATION: The Fishery Management Plan for the Groundfish Fishery in the BSAI (FMP) governs the groundfish fishery in the exclusive economic zone within the BSAI under the Magnuson Fishery Conservation and Management Act. The FMP was prepared by the North Pacific Fishery Management Council and is implemented by regulations appearing at 50 CFR 611.93 and parts 620 and 675.

Regulations appearing at § 675.21(a) establish PSC limits of red king crab and *C. bairdi* in specific zones of the Bering Sea subarea (BS). Under § 675.21(a)(2), the PSC limit of *C. bairdi* caught while conducting any domestic annual harvest trawl fishery for groundfish in Zone 1, as defined at 50 CFR 675.2, is 1 million animals. Further, § 675.21(b)(1) provides that the PSC limit of *C. bairdi* be further apportioned into bycatch allowances, one of which is assigned to the "DAP other fishery" under § 675.21(b)(4). Within the "DAP other fishery," the *C. bairdi* bycatch allowance may be further apportioned on a seasonal basis under § 675.21(b)(2). The final notice of initial specifications of BSAI groundfish for 1992 (57 FR 3952, February 3, 1992)

established the 1992 Zone 1 *C. bairdi* Tanner crab allowance for the "DAP other fishery" at 200,000 animals.

Under § 675.21(c)(2)(i), the Regional Director has determined that U.S. fishing vessels using trawl gear have caught the 1992 PSC allowance of *C. bairdi* in the BSAI while participating in the "DAP other fishery." NMFS is publishing this notice in the Federal Register closing Zone 1 in the BSAI to directed fishing for the remainder of the year for: (A) Pollock by trawl vessels using other than pelagic trawl gear, and (B) Pacific cod by vessels using trawl gear, from 12 noon, A.L.T., February 15, 1992, through midnight A.L.T., December 31, 1992.

In accordance with § 675.20(h)(1), after this closure, operators of vessels using trawl gear other than pelagic trawl gear may not retain at any time during a trip an amount of pollock equal to or greater than 20 percent of the aggregate catch of the other fish retained at the same time during the same trip, as measured in round weight equivalents. Vessels using trawl gear may not retain at any time during a trip an amount of Pacific cod equal to or greater than 20 percent of the aggregate catch of the other fish retained at the same time during the same trip, as measured in round weight equivalents.

Classification

This action is taken under § 675.21 and complies with E.O. 12291.

List of Subjects in 50 CFR Part 675

Fish, Fisheries, Reporting and recordkeeping requirements.

Authority: 16 U.S.C. 1801 et seq.

Dated: February 14, 1992.

David S. Crestin,

Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 92-3987 Filed 2-14-92; 5:05 pm]

BILLING CODE 3510-22-M

Proposed Rules

Federal Register

Vol. 57, No. 35

Friday, February 21, 1992

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

12 CFR Chapter I

[Docket No. 92-1]

Federal Regulatory Review

AGENCY: Comptroller of the Currency, Treasury.

ACTION: Request for comment.

SUMMARY: The Office of the Comptroller of the Currency (OCC) is requesting comments on its regulations and regulatory programs to identify those that may hinder economic growth. On January 30, 1992, the President announced a 90-day regulatory review program as part of his plan to promote economic growth and reduce the burden of government regulation. In accordance with that plan, the heads of the major federal regulatory agencies have been asked to review regulations and programs that may hinder economic growth and to identify and accelerate action on initiatives that will reduce the burden of existing regulations or otherwise promote economic growth. The federal agencies, including the Office of the Comptroller of the Currency, have been asked to work with the public and other interested agencies to identify regulations and programs that impose a substantial cost on the economy and to determine whether each such regulation or program adheres to certain standards.

DATES: Comments must be received on or before March 10, 1992.

ADDRESSES: Comments should be sent to: Communications Division, Docket No. 92-1, 250 E Street, SW., Washington, DC 20219. Comments will be available for public inspection at the same address.

FOR FURTHER INFORMATION CONTACT: Nancy Chase, Senior Attorney, or Ford Barrett, Assistant Director, Office of the

Comptroller of the Currency, 250 E Street, SW., Washington, DC 20219.

SUPPLEMENTARY INFORMATION: The President announced that all the major federal regulatory agencies shall undertake a comprehensive, 90-day review of federal regulations. During this time, the OCC will conduct a regulatory review to identify regulations and programs that significantly reduce jobs or otherwise impose a significant burden on the economy and to determine whether regulations and programs adhere to the following standards:

(1) The expected benefits to society of any regulation should clearly outweigh the expected costs it imposes on society.

(2) Regulations should be fashioned to maximize net benefits to society.

(3) To the maximum extent possible, regulatory agencies should set performance standards instead of prescriptive command-and-control requirements, thereby allowing the regulated community to achieve regulatory goals at the lowest possible cost.

(4) Regulations should incorporate market mechanisms to the maximum extent possible.

(5) Regulations should provide clarity and certainty to the regulated community and should be designed to avoid needless litigation.

As part of its regulatory review, the OCC is requesting public comment as to which of its regulations and programs impose substantial burdens on the economy. The OCC requests that commenters consider the standards listed earlier and identify, by citation to the Code of Federal Regulations, banking circular number, or similar citation, regulations and programs that might be improved in light of the standards listed above. The OCC further requests that commenters provide specific explanations as to why they believe an item can be improved and provide specific suggestions for methods to improve the regulation or program.

Dated: February 18, 1992.

Robert L. Clarke,
Comptroller of the Currency.

[FR Doc. 92-4198 Filed 2-20-92; 8:45 am]

BILLING CODE 4810-30-M

DEPARTMENT OF EDUCATION

Office of the Secretary

34 CFR Subtitle A and Subtitle B, Chapters I-VII Regulatory Review

AGENCY: Department of Education.

ACTION: Request for comments.

SUMMARY: In response to the President's announcement of a Federal regulatory review, this notice requests public comments on which Departmental regulations substantially impede economic growth, are no longer needed, or impose unnecessary costs or burdens.

DATES: Comments should be received no later than March 23, 1992. Because of the short time provided to complete the review, the Secretary would appreciate comments being filed earlier, if possible.

ADDRESSES: Comments should be submitted to David T. Kearns, Deputy Secretary, U.S. Department of Education, 400 Maryland Avenue SW., Washington, DC 20202-0500, Attention: "Regulatory Review."

FOR FURTHER INFORMATION CONTACT: Amy Comstock, Office of the General Counsel, U.S. Department of Education, room 4091, 400 Maryland Avenue, SW., Washington, DC 20202; (202) 401-2607. Deaf and hearing impaired individuals may call the Federal Dual Party Relay Service at 1-800-877-8339 (in the Washington, DC 202 area code, telephone 708-9300) between 8 a.m. and 7 p.m., Eastern time.

SUPPLEMENTARY INFORMATION: In the State of the Union address of January 28, 1992, President Bush announced a 90-day moratorium and review of regulations. In a memorandum to certain Department and agency heads that discussed the initiative in more detail the President noted that "[a] major part of this undertaking must be to weed out unnecessary and burdensome government regulations, which impose needless costs on consumers and substantially impede economic growth." The President asked the Department to work with the public, other interested agencies, the Office of Information and Regulatory Affairs in the Office of Management and Budget, the Council on Competitiveness to (i) identify each of the "agency's regulations and programs that impose a substantial cost on the economy and (ii) determine whether

each such regulation or program adheres to the following standards:

(a) The expected benefits to society of any regulation should clearly outweigh the expected costs it imposes on society.

(b) Regulations should be fashioned to maximize net benefits to society.

(c) To the maximum extent possible, regulatory agencies should set performance standards instead of prescriptive command-and-control requirements, thereby allowing the regulated community to achieve regulatory goals at the lowest possible cost.

(d) Regulations should incorporate market mechanisms to the maximum extent possible.

(e) Regulations should provide clarity and certainty to the regulated community and should be designed to avoid needless litigation."

In connection with this review, the Department will propose appropriate regulatory changes to reduce any unnecessary burdens or costs caused by ED regulations.

This notice solicits public comment on the Department's current regulations. In particular, the Secretary would appreciate commenters identifying regulations that substantially impede economic growth, are no longer necessary, are unnecessarily burdensome, or impose needless costs. In addition, the Secretary would appreciate help in identifying areas in which there are overlapping, duplicative, inconsistent, or conflicting requirements with other Federal agencies, as well as in the Department's own regulations.

The Secretary is also interested in identifying statutory changes that are needed to reduce impediments to economic growth or to eliminate unnecessarily burdensome or costly requirements. Appropriate legislative changes can then be submitted to Congress.

Comments should include the information needed to identify the particular provision at issue, including the program name and a citation to the relevant statute or regulation. Commenters are requested to make their suggestions as specific as possible.

Dated: February 19, 1992.

Lamar Alexander,
Secretary of Education.

[FR Doc. 92-4180 Filed 2-20-92; 8:45 am]

BILLING CODE 4000-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 80 and 86

[AMS-FRL-4105-7]

Control of Air Pollution From New Motor Vehicles and New Motor Vehicle Engines: Evaporative Emission Regulations for Gasoline and Methanol-Fueled Light Duty Vehicles and Light Duty Trucks and Heavy-Duty Vehicles

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of extension of comment period.

SUMMARY: This notice announces an extension of the comment period related to EPA's proposed evaporative emission control regulations (55 FR 1914, January 19, 1990) to March 2, 1992. EPA held a public workshop on January 28, 1992, with the comment period previously scheduled to close on February 11.

DATES: Comments will be accepted until March 2, 1992.

ADDRESSES: Interested parties may submit written comments (in duplicate if possible) to Public Docket No. A-89-18 at the following address: U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Mr. Alan Stout, Standards Development and Support Branch, Emission Control Technology Division, U.S. Environmental Protection Agency, 2565 Plymouth Road, Ann Arbor, Michigan, 48105. Telephone: (313) 668-4272.

For copies of support documents contact: Ms. Margaret Borushko, (313) 668-4272.

SUPPLEMENTARY INFORMATION: For further information on this matter, please refer to EPA's December 17, 1991 Federal Register Notice of Workshop at 56 FR 65461 as changed at December 27, 1991, 56 FR 67038.

Dated: February 12, 1992.

Michael Shapiro,
Acting Assistant Administrator for Air and Radiation.

[FR Doc. 92-3952 Filed 2-20-92; 8:45 am]

BILLING CODE 6560-50-M

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Endowment for the Arts

45 CFR Part 1155

Compliance With the National Environmental Policy Act

AGENCY: National Endowment for the Arts, National Foundation on the Arts and Humanities.

ACTION: Notice of proposed rulemaking.

SUMMARY: This proposed rule will implement the provisions of the National Environmental Policy Act (the Act) for reviewing environmental impacts of grant projects funded by the agency.

DATES: Comments must be received on or before April 21, 1992.

ADDRESSES: Send comments to Karen L. Elias, Assistant General Counsel, National Endowment for the Arts, room 552, 1100 Pennsylvania Avenue, NW., Washington, DC 20506.

FOR FURTHER INFORMATION CONTACT: Karen L. Elias, 202-682-5418.

SUPPLEMENTARY INFORMATION:

Paperwork Reduction Act of 1980

Sections 1155.5 and 1155.6 contain information collection requirements. As required by the Paperwork Reduction Act of 1980, the National Endowment for the Arts will submit a copy of these sections to the Office of Management and Budget (OMB) for its review.

List of Subjects in 45 CFR Part 1155

Environmental impact statements.

Amy Sabrin,

General Counsel, National Endowment for the Arts.

For reasons set out in the preamble, title 45, part 1155 of the Code of Federal Regulations is added as set forth below.

PART 1155—COMPLIANCE WITH THE NATIONAL ENVIRONMENTAL POLICY ACT

Sec.

1155.1 Purpose.

1155.2 Definitions.

1155.3 General Counsel review.

1155.4 Actions requiring an environmental assessment and categorical exclusions.

1155.5 Responsibilities and procedures for the preparation of an environmental assessment.

1155.6 Responsibilities and procedures for preparation of an environmental impact statement.

Authority: NEPA (42 U.S.C. Section 4332, et seq.)

§ 1155.1 Purpose.

The purpose of this regulation is to adopt Endowment procedures to supplement regulations at 40 CFR parts 1500 through 1508 (hereafter referred to as "CEQ regulations").

§ 1155.2 Definitions.

(a) *Applicant* means any individual, organization, or entity which has submitted an application for a grant award from the National Endowment for the Arts (Endowment).

(b) *Categorical exclusion* means a category of actions which do not have a significant effect on the human environment and which have been found to have no such effect in procedures adopted by the Endowment in implementing the CEQ regulations, and for which, therefore, neither an environmental assessment nor an environmental impact statement is required. The Endowment may decide in its procedures otherwise to prepare environmental assessments for the reasons stated in subsection (c)(3) even though it is not required to do so. Any procedures under this section should provide for extraordinary circumstances in which a normally excluded action may have a significant environmental effect.

(c) *CEQ* means Council on Environmental Quality.

(d) *Chairperson* means the Chairperson of the National Endowment for the Arts.

(e) *Endowment* means the National Endowment for the Arts.

(f) *EPA* means Environmental Protection Agency.

(g) *General Counsel* means the General Counsel for the National Endowment for the Arts.

(h) *Grantee* means an individual, organization, or entity which has received an award from the Endowment.

(i) *NEPA* means National Environmental Policy Act.

§ 1155.3 General Counsel Review.

(a) All incoming correspondence from CEQ, EPA and other agencies concerning matters related to NEPA, including draft and final environmental impact statements, shall be brought to the attention of the General Counsel. The General Counsel will prepare or, at his or her discretion, coordinate replies to such correspondence.

(b) With respect to actions of Endowment, the General Counsel will:

(1) Maintain a list of actions for which environmental assessments and/or environmental impact statements are being prepared.

(2) Revise this list at regular intervals, and send revisions to EPA.

(3) Make the list available for public inspection or request.

(4) Maintain a list of environmental impact assessments.

(5) Maintain a file of draft and final environmental impact statements.

(c) The General Counsel will perform such additional functions as are set forth elsewhere in this part and in other Endowment issuances.

§ 1155.4 Actions requiring an environmental assessment and categorical exclusions.

(a) The types of actions to be classified as "major Federal actions" subject to NEPA procedures are discussed generally in the CEQ regulations. The Endowment General Counsel, in consultation with the appropriate Deputy Chairpersons, is responsible for identifying situations in which an environmental assessment or an EIS should be prepared even if not normally required by (b) of this subsection.

(b) Endowment grants to either organizations or individuals, other than for construction or ground-breaking projects are not "major Federal actions" significantly affecting the quality of the human environment so as to provide a sufficient basis for classifying the grant project as subject to NEPA (see 40 CFR 1508.18) and are categorically excluded from an environmental assessment.

(c) In some cases it will be evident at the outset or after the assessment process is begun that an EIS should be prepared. In such cases an assessment need not be completed, but the process of preparing an EIS (see, § 1155.5 of this part) should be started.

§ 1155.5 Responsibilities and procedures for preparation of an environmental assessment.

(a) The Deputy Chairman for Programs, and the General Counsel if necessary, after consultation with the appropriate Program Director, shall determine whether incoming applications contemplate construction or ground-breaking projects.

(b) After the Deputy Chairman for Programs has made his determination, he or she shall forward the application to the General Counsel for a final determination as to whether an environmental assessment is required.

(c) Should an environmental assessment be required, the General Counsel will request that the grant applicant provide information concerning all potentially significant environmental impacts of the applicant's proposed project. The General Counsel, in consultation with EPA and CEQ as appropriate, will review the information

provided by the grant applicant. Though no specific format for an environmental assessment is prescribed, it shall be a separate document suitable for public review and in conformance with 40 CFR 1508.9. That document should include as appropriate the following.

(1) Description of the existing environment. For the delineated project area, the existing environmental conditions relevant to the analysis of alternatives, or to determining the environmental impacts of the proposed project, should be described.

(2) Description of the future environment without the project. The relevant future environmental conditions should be described. The no action alternative should be discussed.

(3) Documentation. Citations to information used to describe the existing environment and to assess future environmental impacts should be clearly referenced and documented. These sources should include, as appropriate but not limited to, local, tribal, regional, State, and federal agencies as well as public and private organizations and institutions.

(4) Analysis of alternatives. This should include a comparative analysis of feasible alternatives, including the no action alternative, throughout the proposed project area. The alternatives shall be screened with respect to capital and operating costs; direct, indirect, and cumulative environmental effects; physical, legal or institutional constraints; and compliance with regulatory requirements.

(5) Evaluating environmental consequences of proposed action. A full range of relevant impacts of the proposed action shall be discussed, including measures to mitigate adverse impacts, any irreversible or irretrievable commitments of resources to the proposed project.

(6) Minimizing adverse effects of the proposed action—

(i) Measures, directly or indirectly related to the proposed project, to mitigate or eliminate adverse effects on the human and natural environment, should be identified during the environmental review. Such measures include, but are not limited to, changes in proposed project design, size, location, staging facilities, monitoring and enforcement of environmental regulations, and local commitments to develop and enforce land use regulations.

(ii) The Endowment shall not award a grant if the applicant/grantee has not made, or agreed to make, changes in the project, in accordance with determinations made in a Finding of No

Significant Impact (FONSI). The Endowment may condition a grant, or seek other ways, to insure that the grantee will comply with such environmental review determinations.

(iii) Prior to a final grant award decision, a copy of the environmental assessment documentation shall be sent to the Chairperson, for consideration as part of the grant application.

(iv) If, on the basis of an environmental assessment, it is determined that an EIS is not required, a Finding of No Significant Impact (FONSI) as described in 40 CFR 1508.13 will be prepared. The FONSI will include the environmental assessment or a summary of it and be available to the public from the Endowment. If the proposed action is one that normally requires an EIS, is closely similar to an action normally requiring an EIS, or is without precedent, the FONSI shall be made available for a 30-day public review period before any action is taken.

§ 1155.6 Responsibilities and procedures for preparation of an Environmental Impact Statement (EIS).

(a) If initially or after an environmental assessment has been completed, it is determined that an environmental impact statement should be prepared, it and other related documentation will be prepared by the General Counsel in accordance with section 102(2)(c) of NEPA, this part, and the CEQ regulations. The General Counsel will be in close communication with the grant applicant which may be required to submit information for preparation of the EIS. Once a document is prepared, it shall be submitted to the Chairperson who shall transmit the document to the Environmental Protection Agency (EPA). If the Chairperson considers a document unsatisfactory, he or she shall return it to the General Counsel for revision or supplementation prior to a grant award decision.

Specifically, the following steps will be followed in preparing an EIS:

(1) A notice of intent to prepare a draft EIS will be published as described in 40 CFR 1501.7.

(2) Scoping, as described in 40 CFR 1501.7 will be conducted.

(3) The format and contents of the draft and final EIS shall be as discussed in 40 CFR part 1502.

(4) Comments on the draft EIS shall be invited as set forth in 40 CFR 1503.1. The minimum period to be afforded for comments on a draft EIS shall be 45 days, unless a lesser period is necessary to comply with other specific statutory requirements or in case of emergency

circumstances, as described in 40 CFR 1506.11.

(5) The requirements of 40 CFR 1506.9 for filing of documents with the Environmental Protection Agency shall be followed.

(6) The General Counsel in consultation with EPA shall examine carefully the basis on which supportive studies have been conducted to assure that such studies are objective and comprehensive in scope and in depth.

(7) NEPA requires that the decision making involved "utilize a systematic, interdisciplinary approach that will insure the integrated use of the natural and social sciences and the environmental design arts." If such disciplines are not present on the Endowment staff, appropriate use should be made of personnel of Federal, State, and local agencies, universities, non-profit organizations, or private industry.

(8) A copy of the draft EIS or the final EIS (or a summary, if the size of the EIS does not make this practical) shall be included in and accompany the appropriate proposal throughout the Endowment's internal review and approval process.

(b)(1) 40 CFR 1506.1 describes the types of actions that should not be taken during the NEPA process. Such actions shall be avoided by Endowment personnel during the process of preparation of an EIS and for a period of 30 days after the final EIS is filed with the EPA, unless such actions are necessary to comply with other specific statutory requirements.

(2) 40 CFR 1506.10 also places certain limitations on the timing of agency decisions on taking "major Federal actions". A grant award shall not be made before the times set forth in 40 CFR 1506.10, unless such action is necessary to comply with other specific statutory requirements, or as exceptions are needed as provided in 40 CFR 1506.10, 1506.11, or 1507.03.

(c) In appropriate cases, if the action involves other agencies, the Endowment will consult with those agencies in order to designate a "lead agency" as provided in 40 CFR 1501.5 and 1501.6.

(d) A public record of decision stating what the decision was; identifying alternatives that were considered, including the environmentally preferable one(s); discussing any national considerations that entered into the decision; and summarizing a monitoring and enforcement program if applicable for mitigation, will be prepared. This record of decision will be prepared at the time the decision is made, or if appropriate, when the agency makes its

recommendation for action to Congress (40 CFR 1505.2).

[FR Doc. 92-3979 Filed 2-20-92; 8:45 am]

BILLING CODE 7537-01-M

45 CFR Part 1180

Institute of Museum Services; General Operating Support for Museums

AGENCY: Institute of Museum Services, NFAH.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Institute of Museum Services proposes to amend its regulations governing the duration of the grant period for General Operating Support awards. Section 1180.15 of the IMS regulations limits the grant period to one year. IMS proposes that the grant period be limited to two years and that a successful applicant to the General Operating Support program in one Federal fiscal year will not be eligible to apply for an additional general operating support award in the immediately following Federal fiscal year. IMS proposes that the maximum award amount for fiscal year 1993 and following years be set at 15 percent of the museum's prior year operating income or \$112,500 whichever is less, but that a museum may receive a minimum award of \$7,500, subject to statutory limitations. The award amount may be obligated by the grantee over a period of two years. The effect on the museum that receives a grant is that the amount of the award will be larger than currently and award money will be available over a longer period of time. The grantee will be relieved of the burden of applying in consecutive years.

DATES: Comments must be received on or before April 10, 1992.

ADDRESSES: Comments should be addressed to Susanah Simpson Kent, Institute of Museum Services, room 510, 1100 Pennsylvania Avenue NW., Washington, DC 20506.

FOR FURTHER INFORMATION CONTACT: Rebecca W. Danvers, Program Director; Telephone: 202/786-0539; Deaf and hearing impaired individuals may call 202/786-9136 for TDD services.

SUPPLEMENTARY INFORMATION:

General Background

The Museum Services Act ("the Act"), title II of the Arts, Humanities and Cultural Affairs Act of 1976, was enacted on October 8, 1976, and was amended in 1980, 1982, 1984, 1985, and 1990. The purpose of the Act as stated in section 202, is as follows:

To encourage and assist museums in their educational rule . . . to assist museums in

modernizing their methods and facilities so that they may be better able to conserve our cultural, historic, and scientific heritage; and to ease the financial burden borne by museums as a result of their increasing use by the public.

An award for General Operating Support may be used to carry out such activities.

The Need for the Amendment

The IMS regulations for General Operating Support contain provisions regarding the duration of the grant period and the amount of the award. Since 1978, the grant period has been limited to one year. Every applicant, whether successful or not in any given fiscal year, is required to reapply for General Operating Support in the following fiscal year. As a result, museums have only a one-year period in which to obligate the funds and cannot predict that funds will be available beyond that one-year period. IMS proposes that the grant period be extended to two years and that successful applicants in one Federal fiscal year not be eligible to apply in the following Federal fiscal year.

The annual General Operating Support awards are limited to 10 percent of the museum's prior year operating income up to a maximum established by the National Museum Services Board and published annually in the *Federal Register*, now \$75,000. IMS proposes that an applicant may receive 15 percent of its most recently completed fiscal year operating income up to a maximum of \$112,500, to be obligated over a period of two years.

Potential Benefits

The changes in the General Operating Support program proposed in this document grow out of a comprehensive 1990 study of that program commissioned by IMS. The study concluded that a concern that their chances for funding are limited is a significant reason that museums decline to participate in the program. To address these concerns, IMS proposes to award General Operating Support grants on a two-year basis with the provision that a successful museum will not be eligible to apply for a grant during the Federal fiscal year following the Federal fiscal year in which the museum receives an award. At the same time, the ceiling on General Operating Support grants would be increased to \$112,500 or 15 percent of the museum's prior year operating income, whichever is less, to reflect the fact that a museum is receiving an award to cover a two-year period. (The minimum award will

be increased from \$5,000 to \$7,500, subject to statutory limitations.) IMS anticipates a number of benefits from these proposed change in grant procedures:

(1) Museums that would receive awards in two succeeding Federal fiscal years are relieved of the burden of filing an application in the second year.

(2) These museums will have a longer period to plan the use of their funds.

(3) These museums will have a longer period to use their funds.

(4) For museums that are reluctant to apply because of the perception that the chances of funding are limited, the new procedures will eliminate from competition in the second year a number of museums that otherwise would have competed for grants, thus expanding funding opportunities for other museums.

(5) The new procedures may encourage underserved museums to participate in the General Operating Support program.

In proposing these changes in the grant procedures, IMS recognizes that, if adopted, they will result in a smaller number of GOS awards on an annual basis and that a limited number of museums that receive General Operating Support awards each year under the current procedures may obtain a smaller amount over the two-year grant period if they continue to be successful in obtaining awards. IMS believes that the substantial benefits of the proposed changes to the museum community as a whole far outweigh these effects.

Executive Order 12291

The amendment has been reviewed in accordance with Executive Order 12291. It is classified as non-major because it does not meet the criteria for major regulations established in the Order.

Regulatory Flexibility Act Certification

The Director certifies that the amendment will not have a significant economic impact on a substantial number of museums. The amendment will affect certain museums receiving Federal financial assistance under the Museum Services Act. However, it will not have significant economic impact on the entities affected, because it does not impose excessive regulatory burdens or require unnecessary Federal supervision.

Paperwork Reduction Act of 1980

This regulation does not contain any information collection requirements under the provisions of the Paperwork Reduction Act of 1980 (Pub. L. 96-511)

Invitation to Comment

Interested parties are invited to submit comments and recommendations regarding these proposed regulations. All comments submitted in response to these proposed regulations will be available for public inspection, during and after the comment period, in room 510, 1100 Pennsylvania Avenue NW., Washington DC, between the hours of 9 a.m. and 4 p.m., Monday through Friday of each week except Federal Holidays.

List of Subjects in 45 CFR Part 1180

Government contracts, Grant programs—education, Museums, National boards, Non-profit organizations, Recording and recordkeeping requirements, Sunshine Act.

Dated: February 11, 1992.

Susannah Simpson Kent,
Director.

Part 1180 of title 45 of the Code of Federal Regulations is amended as follows:

PART 1180—[AMENDED]

1. The authority citation for part 1180 is revised to read as follows:

Authority: 20 U.S.C. 961-969, unless otherwise noted.

2. A new § 1180.8 is added to read as follows:

§ 1180.8 Two-year grant period.

(a) IMS makes General Operating Support grants for a period of twenty-four months beginning with the first month of the grant period.

(b) A museum that receives a General Operating Support grant in a Federal fiscal year may not apply for an additional General Operating Support grant in the succeeding Federal fiscal year.

(c) The following example illustrates paragraph (b) of this section:

Example. A museum applies for a General Operating Support grant in Federal fiscal year 1993. The museum receives a grant that it may use during the applicable 24-month grant period. The museum may not apply for an additional General Operating Support grant in Federal fiscal year 1994.

3. Section 1180.9 is revised to read as follows:

§ 1180.9 Limitation on amount of General Operating Support grants.

(a) *General rule.* IMS makes General Operating Support grants in an amount not to exceed the lesser of:

- (1) The ceiling amount established under paragraph (b) of this section; or
- (2) (i) 15 percent of the applicant museum's non-Federal operating income

for its most recently completed fiscal year that is prior to the Federal fiscal year in which the application is filed; or

(ii) \$7,500, if larger.

(b) *Ceiling amount.* The ceiling amount of a General Operating Support grant will be established through a notice published in the **Federal Register**.

(c) *Statutory requirement.* Under section 206(c) of the Act, IMS may not make a grant in excess of 50 percent of the annual cost of the program for which the grant is made. If the application of the \$7,500 limitation in paragraph (a)(2) of this section causes a General Operating Support grant to exceed 50 percent of the museum's annual operating income for the grant period in question, IMS reduces the grant to that level in order to satisfy the statutory requirement.

(d) *Computation of non-Federal operating income.* For the purposes of this section, a museum may include in non-Federal operating income an amount reflecting the reasonable and conservative value of non-cash contributions to the museum in the applicable fiscal year.

(e) *Examples.* The application of this section is set forth in the following examples:

Example 1. In fiscal year 1993, a museum with calendar year 1991 operating income of \$5,000,000 applies to IMS for a General Operating Support grant. Its application is approved. It may receive a grant of no more than \$112,500, the lesser of \$112,500 and \$750,000 which is a 15 percent of the museum's non-Federal operating income.

Example 2. In fiscal year 1993, a museum with calendar 1991 operating income of \$700,000 applies to IMS for a General Operating Support grant. Its application is approved. It may receive a grant of no more than \$105,000 the lesser of \$112,500 and 15 percent of the operating income which is \$105,000.

Example 3. In fiscal year 1993, a museum with calendar 1991 operating income of \$40,000 applies to IMS for a General Operating Support grant. Its application is approved. It may receive a grant of no more than \$7,500, the larger of \$7,500 or 15 percent of the museum's operating income which is \$6,000. The grant satisfies the requirement of paragraph (c) of this section (and the statute) that it not exceed 50 percent of the museum's operating income for that year.

4. Section 1180.15 is revised to read as follows:

§ 1180.15 Duration of grants.

The grantee may use grant funds during the period specified in the grant document unless the grant is suspended or terminated. If the grantee needs additional time to complete the grant, the grantee may apply for an extension of the grant period without additional

funds. The Director may approve this extension at his or her discretion.

5. Section 1180.16 is revised to read as follows:

§ 1180.16 Contributions, restricted accounts.

(a) For a particular fiscal year, and for one or more programs, the Board may determine that an amount equal to the amount to be awarded (or a percentage thereof) to an applicant under the Act must consist of non-Federal funds contributed to the museum in excess of the non-Federal funds contributed to the museum for its immediately preceding fiscal year.

(b) A museum shall maintain a restricted account for funds received under the Act.

6. Section 1180.20(b)(3) is revised to read as follows:

§ 1180.20 Guidelines and standards for conservation grants.

* * * * *

(b) * * *

(3) Section 1180.16(b), which provides for the maintenance of a restricted account, does apply to conservation grants.

* * * * *

[FR Doc. 92-3880 Filed 2-20-92; 8:45 am]

BILLING CODE 7036-01-M

FEDERAL MARITIME COMMISSION

46 CFR Part 586

Actions to Adjust or Meet Conditions Unfavorable to Shipping in the United States/Venezuela Trade

AGENCY: Federal Maritime Commission.

ACTION: Notice of intent to discontinue proceeding; enlargement of time to comment.

SUMMARY: The Federal Maritime Commission issued a Notice of Intent to Discontinue ("Notice") this proceeding (57 FR 2070; January 17, 1992), which was initiated pursuant to section 19 of the Merchant Marine Act, 1920, through publication of a Proposed Rule (56 FR 22685; May 16, 1991) concerning alleged conditions unfavorable to shipping in the foreign oceanborne trade between the United States and Venezuela. The proposed rule would adjust or meet the apparent unfavorable conditions by imposing a per voyage fee in the amount of \$100,000 upon certain named Venezuela-flag carriers, with failure to pay the fee resulting in suspension of that carrier's tariffs, or denial of access to or clearance from U.S. ports. Total Ocean Marine Services, Inc. ("Total Ocean") has now requested a 31-day

enlargement of time to comment on the Notice, citing among other things, difficulties associated with political unrest in Venezuela. The Commission has determined to grant an extension of 14 days.

DATES: Comments (original and 15 copies) due on or before February 28, 1992.

ADDRESSES: Send comments to: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, N.W., Washington, D.C. 20573-0001, (202) 523-5725.

FOR FURTHER INFORMATION CONTACT: Robert D. Bourgojn, General Counsel, Federal Maritime Commission, 1100 L Street, NW., Washington, DC. 20573-0001, (202) 523-5740.

By the Commission.

Joseph C. Polking,

Secretary.

[FR Doc. 92-3993 Filed 2-20-92; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 92-25, RM-7905]

Radio Broadcasting Services; Fort Bragg, CA

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition for rule making filed by California Radio Partners, licensee of Station KOZT(FM), Channel 237A, Fort Bragg, California, seeking the substitution of Channel 237B1 for Channel 237A and modification of its license accordingly to specify operation on the higher powered channel. Coordinates for this proposal are 39-24-24 and 123-44-04.

Petitioner's modification proposal complies with the provisions of § 1.420(g) of the Commission's Rules. Therefore, we will not accept competing expressions of interest in the use of Channel 237B1 at Fort Bragg, or require the petitioner to demonstrate the availability of an additional equivalent class channel.

DATES: Comments must be filed on or before April 10, 1992; and reply comments on or before April 27, 1992.

ADDRESSES: Secretary, Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested

parties should serve the petitioner, as follows: California Radio Partners, Radio Station KOTZ(FM), 124 East Laurel, Fort Bragg, CA 95437.

FOR FURTHER INFORMATION CONTACT: Nancy Joyner, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 92-25, adopted February 7, 1992, and released February 18, 1992. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M

Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, Downtown Copy Center, (202) 452-1422, 1714 21st St., NW., Washington, DC 20036.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this

one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, See 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Michael C. Ruger,

Assistant Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 92-4068 Filed 2-20-92; 8:45 am]

BILLING CODE 6712-01-M

Notices

Federal Register

Vol. 57, No. 35

Friday, February 21, 1992

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Packers and Stockyards Administration

Proposed Posting of Stockyards

The Packers and Stockyards Administration, United States Department of Agriculture, has information that the livestock markets named below are stockyards as defined in section 302 of the Packers and Stockyards Act (7 U.S.C. 202), and should be made subject to the provisions of the Packers and Stockyards Act 1921, as amended (7 U.S.C. 181 *et seq.*).

AR-168: I-40 Livestock Auction, Inc.,

Ozark, Arkansas

MS-165: T. Smith Livestock,

Hattiesburg, Mississippi

MO-273: Sarcxie Livestock Auction,

Inc., Sarcxie, Missouri

SC-150: M.L. Dopson Auction Co.,

Walterboro, South Carolina

UT-177: Dean H. Parker, Logan, Utah

Pursuant to the authority under section 302 of the Packers and Stockyards Act, notice is hereby given that it is proposed to designate the stockyards named above as posted stockyards subject to the provisions of said Act.

Any person who wishes to submit written data, views or arguments concerning the proposed designation may do so by filing them with the Director, Livestock Marketing Division, Packers and Stockyards Administration, room 3408-South Building, U.S. Department of Agriculture, Washington, DC 20250 by February 27, 1992.

All written submissions made pursuant to this notice will be made available for public inspection in the office of the Director of the Livestock Marketing Division during normal business hours.

Done at Washington, DC this 13th day of February.

Harold W. Davis,

Director, Livestock Marketing Division.

[FR Doc. 92-3995 Filed 2-20-92; 8:45 am]

BILLING CODE 3410-KD-M

DEPARTMENT OF COMMERCE

Agency Form Under Review by the Office of Management and Budget (OMB)

DOC has submitted to OMB for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

Agency: Bureau of the Census.

Title: Annual Survey of

Communication Services.

Form Number(s): B-516 through B-521.

Agency Approval Number: 0607-0706.

Type of Request: Reinstatement of a previously approved collection for which approval has expired.

Burden: 7,000 hours.

Number of Respondents: 1,780.

Avg Hours Per Response: 4 hours.

Needs and Uses: The Annual Survey of Communication Services is a vital component of a broad-based, multi-year program at the Census Bureau to expand coverage and improve statistics for service-related industries. This program is part of an interagency initiative to improve statistics in this sector of the economy. This survey will provide the only annual source of key measures of the communication sector, including the telephone, broadcasting and cable television industries. These data will serve as inputs into the national accounts calculated by the Bureau of Economic Analysis, the Bureau of Labor Statistics' consumer and producer price indices, and the Department of Commerce's publication, Industrial Outlook. In addition, the Census Bureau will use results of this survey in the planning and design stages of current and future economic census questionnaires by providing information on the ability of respondents to report accurate and timely data from existing records and by identifying areas of dynamic change in the communication sector.

Affected Public: Businesses or other for-profit organizations, non-profit

institutions, and small businesses or organizations.

Frequency: Annually.

Respondent's Obligation: Mandatory.

OMB Desk Officer: Maria Gonzalez, (202) 395-7313.

Copies of the above information collection proposal can be obtained by calling or writing Edward Michals, DOC Forms Clearance Officer, (202) 377-3271, Department of Commerce, room 5312, 14th and Constitution Avenue, NW., Washington, DC 20230.

Written comments and recommendations for the proposed information collection should be sent to Maria Gonzalez, OMB Desk Officer, room 3208, New Executive Office Building, Washington, DC 20503.

Dated: February 14, 1992.

Edward Michals,

Departmental Forms Clearance Officer,
Office of Management and Organization.

[FR Doc. 92-4013 Filed 2-20-92; 8:45 am]

BILLING CODE 3510-07-F

Agency Form Under Review by the Office of Management and Budget (OMB)

DOC has submitted to OMB for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

Agency: International Trade

Administration (ITA).

Title: Export Trading Companies

Contact Facilitation Service.

Form Number: ITA-4094P.

OMB Approval Number: 0625-0120.

Type of Request: Revision of a currently approved collection; so as to modify the form to use the Harmonize Code rather than the SIC Code to designate products listed.

Burden: 4,500 hours.

Number of Respondents: 9,000.

Avg Hours Per Response: 30 minutes.

Needs and Uses: The Export Trading Company Act of 1982 directs Commerce to provide a service to facilitate contact between producers of exportable goods and firms offering export trade services. ITA has established a clearinghouse for U.S. suppliers, banks, service organizations and export trading companies (ETCs). This helps U.S. producers identify and contact newly formed ETCs. ETCs may want to utilize this program to identify possible clients for their services. This collection seeks

that information needed to provide the benefit to the user.

Affected Public: State or local governments; businesses or other for profit or non-profit institutions; small businesses or organizations.

Frequency: Annually.

Respondent's Obligation: Required to obtain or retain a benefit.

OMB Desk Officer: Gary Waxman, (202) 395-7340.

Copies of the above information collection proposal can be obtained by calling or writing DOC Clearance Officer, Edward Michals, (202) 377-3271, Department of Commerce, room 5327, 14th and Constitution Avenue, NW., Washington, DC 20230.

Written comments and recommendations for the proposed information collection should be sent to Gary Waxman, OMB Desk Officer, room 3208, New Executive Office Building, Washington, DC 20503.

Dated: February 14, 1992.

Edward Michals,

*Departmental Forms Clearance Officer,
Office of Management and Organization.*

[FR Doc 92-4014 Filed 2-20-92; 8:45 am]

BILLING CODE 3510-CW

Foreign-Trade Zones Board

[Order No. 556]

Resolution and Order Approving With Restriction the Application of the North Carolina Department of Economic and Community Development for Special-Purpose Subzone Status; Deere-Hitachi Construction Machinery Corporation Plant (Hydraulic Excavators); Kernersville, NC

Proceedings of the Foreign-Trade Zones Board, Washington, DC.

Resolution and Order

Pursuant to the authority granted in the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board (the Board) adopts the following Resolution and Order:

The Board, having considered the matter, hereby orders:

After consideration of the application of the North Carolina Department of Economic and Community Development (formerly the North Carolina Department of Commerce), grantee of FTZ 66, filed with the Foreign-Trade Zones Board (the Board) on June 18, 1990, requesting special-purpose subzone status for the excavator manufacturing plant of the Deere-Hitachi Construction Machinery Corporation in Kernersville, North Carolina, the Board, finding that the requirements of the Foreign-Trade Zones Act, as amended,

and the FTZ Board's regulations would be satisfied, and that the proposal would be in the public interest if approval were subject to the condition that no authority is granted for excavators made under zone procedures at the Kernersville plant to be converted by Deere-Hitachi or its affiliates into forestry equipment or other equipment, based on the terms of the plan and circumstances outlined in the application and case record, approves the application, subject to the foregoing condition. The operation shall be monitored accordingly.

Approval is subject to the FTZ Act and the FTZ Board's regulations (as revised, 56 FR 50790-50808, 10/8/91), including § 400.28. The Secretary of Commerce, as Chairman and Executive Officer of the Board, is hereby authorized to issue a grant of authority and appropriate Board Order.

Grant of Authority for Subzone Status

Whereas, By an Act of Congress approved June 18, 1934, an Act "To provide for the establishment * * * of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes," as amended (19 U.S.C. 81a-81u) (the Act), the Foreign-Trade Zones Board (the Board) is authorized to grant to corporations the privilege of establishing foreign-trade zones in or adjacent to U.S. Customs ports of entry;

Whereas, The Board's regulations (15 CFR 400) provide for the establishment of special-purpose subzones when existing zone facilities cannot serve the specific use involved, and where a significant public benefit will result;

Whereas, The North Carolina Department of Economic and Community Development (formerly the North Carolina Department of Commerce), grantee of FTZ 66, has made application (filed 6-18-90, FTZ Docket 24-90, 55 FR 26720, 6-29-90) to the Board for authority to establish a special-purpose subzone at the hydraulic excavator manufacturing plant of the Deere-Hitachi Construction Machinery Corporation in Kernersville, North Carolina;

Whereas, Notice of said application has been given and published, and full opportunity has been afforded all interested parties to be heard; and,

Whereas, The Board has found that the requirements of the Act and the Board's regulations would be satisfied and that the proposal would be in the public interest if approval were given subject to the condition in the resolution accompanying this action;

Now, Therefore, The Board hereby authorizes the establishment of a subzone at the Deere-Hitachi Construction Machinery Corporation plant in Kernersville, North Carolina, designated on the records of the Board as Foreign-Trade Subzone 66B, at the

location described in the application, subject to the condition in the resolution accompanying this action, and to the Act and the Board's Regulations (as revised, 56 FR 50790-50808, 10/8/91), including § 400.28.

Signed at Washington, DC, this 12th day of February, 1992, pursuant to Order of the Board.

Alan, M. Dunn,

Assistant Secretary of Commerce for Import Administration, Chairman, Committee of Alternates, Foreign-Trade Zones Board.

[FR Doc. 92-4060 Filed 2-20-92; 8:45 am]

BILLING CODE 3510-DS-M

International Trade Administration

[C-570-817]

Postponement of preliminary Countervailing Duty Determination: Chrome-Plated Lug Nuts and Wheel Locks From the People's Republic of China ("PRC")

AGENCY: Import Administration, International Trade Administration, Commerce.

EFFECTIVE DATE: February 21, 1992.

FOR FURTHER INFORMATION CONTACT: Stephanie L. Hager or Paulo F. Mendes, Office of Countervailing Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone (202) 377-5055 or (202) 377-5050, respectively.

POSTPONEMENT: On January 2, 1992, the Department of Commerce ("the Department") initiated a countervailing duty investigation of chrome-plated lug nuts and wheel locks (collectively "lug nuts") from the PRC. The notice stated that we would issue our preliminary determination on or before March 6, 1992. (57 FR 877, January 9, 1992).

Pursuant to section 703(c)(1)(B) of the Tariff Act of 1930, as amended (the "Act"), the Department has determined that this investigation is "extraordinarily complicated" and has postponed the deadline for the preliminary determination until no later than May 11, 1992.

We determine that this case is extraordinarily complicated because it involves the issue of applying the countervailing duty law to a nonmarket economy. We have determined that the parties concerned are cooperating and that additional time is necessary to make a preliminary countervailing duty determination. For these reasons, we

determine that this investigation is extraordinarily complicated in accordance with section 703(c)(1)(B)(i)(II) of the Act and that additional time is necessary to make the preliminary determination in accordance with section 703(c)(1)(B)(ii) of the Act.

This notice is published pursuant to section 703(c)(2) of the Act and 19 CFR 355.15(e).

Dated: February 14, 1992.

Marjorie A. Chorlins,
Acting Assistant Secretary for Import
Administration.

[FR Doc. 92-4061 Filed 2-20-92; 8:45am]

BILLING CODE 3510-DS-M

Short-Supply Determination; Certain Standard Length Premium Curve Rails

AGENCY: Import Administration, International Trade Administration, Commerce.

ACTION: Notice of Short-Supply Determination on certain standard length premium curve rails.

SHORT-SUPPLY NUMBER: 64.

SUMMARY: The Secretary of Commerce ("Secretary") hereby denies a request for 13,000 net tons of certain standard length premium curve rails for the first quarter of 1992 under paragraph 8 of the Arrangement Between the Government of Japan and the Government of the United States Concerning Trade in Certain Steel Products (the "U.S.-Japan Steel Arrangement").

EFFECTIVE DATE: February 14, 1992.

FOR FURTHER INFORMATION CONTACT: James Rice or Kathy McNamara, Office of Agreements Compliance, Import Administration, U.S. Department of Commerce, room 7866, 14th St. and Constitution Avenue NW., Washington, DC 20230; (202) 377-3793.

SUPPLEMENTARY INFORMATION: On January 15, 1992, the Secretary received an adequate short-supply petition from Union Pacific Railroad ("UP") requesting a short-supply allowance for 13,000 net tons of certain premium curve rail for the first quarter of 1992 under paragraph 8 of the U.S.-Japan Steel Arrangement. UP requested short supply because it alleges that the requested product is not produced domestically and because its potential Japanese suppliers do not have sufficient export licenses available during this period. The Secretary conducted this short-supply review pursuant to section 4(b)(4)(a) of the Steel Trade Liberalization Program Implementation Act, Public Law No.

101-221, 103 Stat. 1886 (1989) ("the Act"), and § 357.102 of the Department of Commerce's Short-Supply Procedures, 19 CFR 357.102 ("Commerce's Short-Supply Procedures").

The requested product meets the following specifications:

Chemistry

Carbon—0.72–0.82 percent.
Manganese—0.80–1.20 percent.
Phosphorus—0.030 percent maximum.
Sulphur—0.025 percent maximum.
Silicon—0.59 percent maximum.
Chromium—0.25 percent maximum.
Molybdenum—0.25 percent maximum.
Minimum Tensile Strength: 171,000 psi.
Minimum Yield Strength: 114,000 psi.
Minimum Elongation: 10 percent.

Minimum Brinell Hardness of the head must be 322 at 0.4 inches from the surface. Average surface hardness must be a minimum of 380.

The rails must be free of shatter cracks through at least one of the following processes: Controlled cooling of rails or blooms; vacuum treatment; or other such process.

The rails must be ultrasonically tested for internal imperfections to detect a minimum of $\frac{1}{32}$ inch diameter defect anywhere in the sound path of the head, a minimum of $\frac{1}{16}$ inch diameter defect in the web and longitudinal imperfections exceeding $\frac{1}{2}$ inch length and greater than $\frac{1}{16}$ inch depth occurring in the base.

The rails must meet a figure of .001721 inch of gage face wear per million gross tons on the high rail, and a figure of .00296 inch of head height loss on the low rail, as measured by the American Association of Railroads.

ACTION: On January 15, 1992, the Secretary established an official record on this short-supply request (Case Number 64) in the Central Records Unit, room B-099, Import Administration, U.S. Department of Commerce at the above address. On January 28, 1992, the Department published a notice in the *Federal Register* (57-FR-3187) announcing a review of this request and soliciting comments from interested parties. Comments were required to be received no later than February 4, 1992, and interested parties were invited to file replies to any comments no later than February 9, 1992. In order to determine whether this product, or a viable alternative product, could be supplied in the U.S. market for the period of this review, the Secretary sent questionnaires to Bethlehem Steel Corp. ("Bethlehem"), and CF&I Steel Corp. ("CF&I"). The Secretary received adequate questionnaire responses from

both companies. UP submitted comments in response to Bethlehem's and CF&I's questionnaire responses.

QUESTIONNAIRE RESPONSES: Bethlehem indicated that it cannot produce premium rails which completely meet UP's specifications. CF&I indicated that it could produce material meeting UP's specifications, although it could not be supplied in the time requested by UP.

ANALYSIS: Two issues are raised in UP's request: (1) Whether CF&I can meet UP's specifications, and (2) whether UP's requirement that the product be shipped in the first quarter of 1992 is reasonable.

Regarding CF&I's ability to supply this product, UP alleges in its comments that CF&I requires purchasers of its head hardened rail to purchase equal quantities of standard rail, so that CF&I can transform the best standard rail heats into head hardened rail. CF&I has stated that it no longer requires this "dual purchase." UP also expresses concern that CF&I must pass each head hardened rail through the roller straightener twice, which according to UP, "imparts residual stresses believed to be harmful to the rail and injurious to rail life." However, UP's own specifications indicate that a maximum of two passes is acceptable for rail straightening. Therefore, CF&I's rail meets UP's specifications in this respect. According to information on the record, the Secretary determines that the premium rail produced by CF&I meets UP's specifications.

To address the issue of determining whether UP's requested shipment date is reasonable, the Secretary must consider the nature of the rail industry and its normal order-to-delivery schedule. To support its requested order-to-delivery time, UP cites the House Report of the Steel Trade Liberalization Implementation Act ("House Report"), which states that

The petitioner must be able to obtain supply within the normal order-to-delivery period for that product. In considering whether a potential domestic supplier is a viable source of domestic supply to the petitioner, the Secretary shall take into account the ability of the domestic supplier to deliver the requested product within the time frame designated by the petitioner, provided that such time frame is reasonable in light of normal order-to-delivery periods. H.R. 263, 101st Cong., 1st Sess. 15 (1989).

The question of determining what is a normal order-to-delivery period for this product has been addressed by all parties to this review. All parties agree that a normal order-to-delivery period is approximately 6 months or longer for this product. UP's request requires shipment within a period of

approximately 6-7 weeks. Because the House Report directs the Secretary to consider normal order-to-delivery periods, and UP's period is considerably shorter than the industry's normal period, the Secretary finds that UP's requirement is not reasonable.

CONCLUSION: A domestic supplier can produce the material meeting UP's specifications. UP's required order-to-delivery period does not offer the domestic producer an adequate opportunity to supply the material because it is not within the normal order-to-delivery period for this product. The Secretary hereby denies UP's short-supply request for 13,000 net tons of premium curve rail, pursuant to section 4(b)(4)(a) of the Act, and section 357.102 of Commerce's Short-Supply Procedures.

Dated: February 14, 1991.

Marjorie A. Chorlins,
Acting Assistant Secretary for Import
Administration.

[FR Doc. 92-4062 Filed 2-20-92; 8:45 am]

BILLING CODE 3510-DS-M

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

Procurement List Additions

AGENCY: Committee for Purchase from the Blind and Other Severely Handicapped

ACTION: Addition to Procurement List.

SUMMARY: This action adds to the Procurement List services to be furnished by a nonprofit agency employing persons with severe disabilities.

EFFECTIVE DATE: March 23, 1992.

ADDRESSES: Committee for Purchase from the Blind and Other Severely Handicapped, Crystal Square 5, suite 1107, 1755 Jefferson Davis Highway, Arlington, Virginia 22202-3509.

FOR FURTHER INFORMATION CONTACT: Beverly Milkman (703) 557-1145.

SUPPLEMENTARY INFORMATION: On December 13 and 20, 1991, the Committee for Purchase from the Blind and Other Severely Handicapped published notice (56 FR 65047 and 66019) of proposed additions to the Procurement List. After consideration of the material presented to it concerning the capability of a qualified nonprofit agency to provide the services at a fair market price and the impact of the addition on the current or most recent contractor, the Committee has determined that the services listed below are suitable for procurement by

the Federal Government under 41 U.S.C. 46-48c and CFR 51-2.6.

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will furnish the services to the Government.

2. The action will not have a severe economic impact on current contractors for the services.

3. The action will result in authorizing small entities to furnish the services to the Government.

4. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46-48c) in connection with the services proposed for addition to the Procurement List.

Accordingly, the following services are hereby added to the Procurement List:

Janitorial/Custodial, U.S. Army Reserve Center, 2800 and 2808 Crestline Road, Fort Worth, Texas.

Janitorial/Custodial, U.S. Army Reserve Center #3, 400 Dry Hill Road, Beckley, West Virginia.

This action does not affect contracts awarded prior to the effective date of this addition or options exercised under those contracts.

Beverly L. Milkman,
Executive Director.

[FR Doc. 92-4043 Filed 2-20-92; 8:45 am]

BILLING CODE 6820-33-M

Procurement List Proposed Additions

AGENCY: Committee for Purchase from the Blind and Other Severely Handicapped.

ACTION: Proposed additions to Procurement List.

SUMMARY: The Committee has received proposals to add to the Procurement List a commodity and services to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

COMMENTS MUST BE RECEIVED ON OR BEFORE: March 23, 1992.

ADDRESSES: Committee for Purchase from the Blind and Other Severely Handicapped, Crystal Square 5, suite 1107, 1755 Jefferson Davis Highway, Arlington, Virginia 22202-3509.

FOR FURTHER INFORMATION CONTACT: Beverly Milkman (703) 557-1145.

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 47 (a)(2) and 41 CFR 51-2.3. Its purpose is to provide interested persons an opportunity to submit comments on the possible impact of the proposed actions.

If the Committee approves the proposed additions, all entities of the Federal Government (except as otherwise indicated) will be required to procure the commodity and services listed below from nonprofit agencies employing persons who are blind or have severe disabilities.

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will furnish the commodity and services to the Government.

2. The action does not appear to have a severe economic impact on current contractors for the commodity and services.

3. The action will result in authorizing small entities to furnish the commodity and services to the Government.

4. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46-48c) in connection with the commodity and services proposed for addition to the Procurement List.

Comments on this certification are invited. Commenters should identify the statement(s) underlying the certification on which they are providing additional information.

It is proposed to add the following commodity and services to the Procurement List:

Commodity

Pallet Cover, Polyethylene, 3990-00-930-1480.

Services

Janitorial/Custodial, Pearl Harbor Commissary, Pearl Harbor, Hawaii.
Janitorial/Custodial, Barbers Point Commissary, Barbers Point, Hawaii.

Beverly L. Milkman,
Executive Director.

[FR Doc. 92-4044 Filed 2-20-92; 8:45 am]

BILLING CODE 6820-33-M

DEPARTMENT OF EDUCATION**Proposed Information Collection Requests****AGENCY:** Department of Education.**ACTION:** Notice of proposed information collection requests.

SUMMARY: The Director, Office of Information Resources Management, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1980.

DATES: Interested persons are invited to submit comments on or before March 23, 1992.

ADDRESSES: Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Dan Chenok, Desk Officer, Department of Education, Office of Management and Budget, 726 Jackson Place, NW., room 3208, New Executive Office Building, Washington, DC 20503. Requests for copies of the proposed information collection requests should be addressed to Wallace R. McPherson, Jr., Department of Education, 400 Maryland Avenue, SW., room 5624, Regional Office Building 3, Washington, DC 20202.

FOR FURTHER INFORMATION CONTACT: Wallace R. McPherson (202) 708-5174.

SUPPLEMENTARY INFORMATION: Section 3517 of the Paperwork Reduction Act of 1980 (44 U.S.C. chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Acting Director, Office of Information Resources Management, publishes this notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following:

(1) Type of review requested, e.g., new, revision, extension, existing or reinstatement; (2) Title; (3) Frequency of collection; (4) The affected public; (5) Reporting burden; and/or (6) Recordkeeping burden; and (7) Abstract. OMB invites public comment at the address specified above. Copies of the requests are available from Wallace R.

McPherson, Jr. at the address specified above.

Dated: February 14, 1992.

Wallace R. McPherson, Jr.,
Acting Director, Office of Information
Resources Management.

Office of Elementary and Secondary Education

Type of Review: Extension.

Title: State Application (Chapter 2 Federal, State and Local Partnership for Educational Improvement).

Frequency: Annually.

Affected Public: State or local governments.

Reporting Burden:

Responses: 52.

Burden Hours: 1,560.

Recordkeeping Burden:

Recordkeepers: 0.

Burden Hours: 0.

Abstract: This form will be used by state educational agencies to apply for funding under the Chapter 2 Federal, State and Local Partnership for Educational Improvement Program. The Department will use this information to make grant awards.

Office of Elementary and Secondary Education

Type of Review: Revision.

Title: New and Continuation Application for Grants Under the Chapter 1 Migrant Education Coordination.

Frequency: Annually.

Affected Public: State or local governments.

Reporting Burden:

Responses: 24.

Burden Hours: 1,018.

Recordkeeping Burden:

Recordkeepers: 0.

Burden Hours: 0.

Abstract: This form will be used by state or local governments to apply for funding under the Chapter 1 Migrant Education Coordination Program. The Department uses the information to make grant awards.

Office of Policy and Planning

Type of Review: New.

Title: Survey of Chapter 1 Services for Nonpublic Sectarian School Participants.

Frequency: One-time.

Affected Public: State or local governments.

Reporting Burden:

Responses: 475.

Burden Hours: 638.

Recordkeeping Burden:

Recordkeepers: 0.

Burden Hours: 0.

Abstract: This survey will provide information on Chapter 1 services to

students in nonpublic sectarian schools. The results of this survey will assist the Department to inform Congress about the implementation of Chapter 1 provisions for serving nonpublic sectarian school students.

Office of Policy and Planning

Type of Review: New.

Title: Evaluation of the Academic Excellence Program.

Frequency: One-time.

Affected Public: State or local governments.

Reporting Burden:

Responses: 66.

Burden Hours: 66.

Recordkeeping Burden:

Recordkeepers: 0.

Burden Hours: 0.

Abstract: This evaluation will investigate the dissemination and implementation process involved in exemplary bilingual education programs. The information will be used to impact the spread of exemplary bilingual education programs for limited English proficient students.

Office of Policy and Planning

Type of Review: Reinstatement.

Title: Income-Contingent Loan Program Demonstration Project.

Frequency: One-time.

Affected Public: Individuals or households.

Reporting Burden:

Responses: 2,700.

Burden Hours: 675.

Recordkeeping Burden:

Recordkeepers: 0.

Burden Hours: 0.

Abstract: This study will collect data from current and former borrowers of income contingent loans. The data collected will be used by the Department to meet the legislative requirements of examining the income contingent repayment method.

[FR Doc. 92-4002 Filed 2-20-92; 8:45 am]

BILLING CODE 4000-1-M

[CFDA No.: 64.201]

School Dropout Demonstration Assistance Program

ACTION: Correction.

SUMMARY: On January 17, 1992, a notice inviting applications for new awards for fiscal year (FY) 1992 for the School Dropout Demonstration Assistance Program was published in the Federal Register (57 FR 2081).

The purpose of this correction notice is to extend the original deadlines for transmittal of applications and

intergovernmental review as set forth in the January 17, 1992 notice, and to inform applicants of the new application availability date.

The deadline for transmittal of applications is changed from March 26, 1992 to April 3, 1992; the deadline for intergovernmental review is changed from May 25, 1992 to June 3, 1992; and the application availability date is changed from February 10, 1992 to February 18, 1992.

FOR APPLICATIONS OR INFORMATION

CONTACT: John R. Fiegel, School Dropout Demonstration Assistance Program, U.S. Department of Education, 400 Maryland Avenue, SW., room 2049, Washington, DC 20202-8246. Telephone: (202) 401-1342. Deaf and hearing impaired individuals may call the Federal Dual Party Relay Service at 1-800-877-8339 (in the Washington, DC 202 area code, telephone 708-9300) between 8 a.m. and 7 p.m., Eastern time.

Dated: February 14, 1992.

John T. MacDonald,
Assistant Secretary for Elementary and Secondary Education.

[FR Doc. 92-4059 Filed 2-20-92; 8:45 am]

BILLING CODE 4000-01-M

DEPARTMENT OF ENERGY

Award of Grant Agreement Noncompetitive Financial Assistance

AGENCY: DOE Nevada Field Office.

ACTION: Notice of intent to award on a noncompetitive basis.

SUMMARY: Pursuant to 10 CFR 600.7(b)(2)(i)(B), DOE announces its intent to award a grant to the International Association of Geochemistry and Cosmochemistry (IAGC) for the purposes of supporting the conduct of an international symposium (7th International Symposium on Water-Rock Interaction) to be held July 13-22, 1992, in Park City, Utah. The grant will enable DOE to be a "sponsor" of this international event. Many of the topics and theme sections of the symposium relate directly to site characterizations at Yucca Mountain, Nevada. Leading scientists from about 30 countries will be reporting on research results concerning water-rock interactions in unsaturated soil and rock as well as on new or extended methods and techniques of analysis. DOE support would be beneficial to both DOE and the affected scientific community. Fields of particular interest to DOE include mineral diagenesis, applications of stable and radioactive isotopes to hydrogeologic problems, and geochemical modeling. Proceeds from

this grant will be used for logistical support and publishing and printing of conference proceedings.

The project period for the proposed grant is March 1, 1992 through September 30, 1992. The total estimated cost of this award is \$10,000.

FOR FURTHER INFORMATION, CONTACT: U.S. Department of Energy, Yucca Mountain Site Characterization Project Office, Attention: Birdie Hamilton-Ray, P.O. Box 98608, Las Vegas, Nevada 89192-8608.

Issued in Las Vegas, Nevada, on February 10, 1992.

Nick C. Aquilina,

Manager, DOE Nevada Field Office.

[FR Doc. 92-4063 Filed 2-20-92; 8:45 am]

BILLING CODE 6450-01-M

Federal Energy Regulatory Commission

[Docket Nos. ER92-220-000, et al.]

Baltimore Gas & Electric Co., et al., Electric Rate, Small Power Production, and Interlocking Directorate Filings

February 11, 1992.

Take notice that the following filings have been made with the Commission:

1. Baltimore Gas & Electric Company

[Docket No. ER92-220-000]

Take notice that on January 28, 1992, Baltimore Gas & Electric Company tendered for filing an amendment to its December 11, 1991 filing in the above-referenced docket.

Comment date: February 25, 1992, in accordance with Standard Paragraph E at the end of this notice.

2. Consolidated Edison Company of New York, Inc.

[Docket No. ER92-41-000]

Take notice that on January 31, 1992, Consolidated Edison Company of New York, Inc. ("Con Edison"), in response to a deficiency letter herein, tendered for filing additional information relative to certain supplements to its Rate Schedule FERC No. 94, which provides for transmission service to Long Island Lighting Company ("LILCO").

Con Edison states that a copy of this filing has been served by mail upon LILCO.

Comment date: February 25, 1992, in accordance with Standard Paragraph E at the end of this notice.

3. Southwestern Electric Power Company

[Docket No. ER92-299-000]

Take notice that on January 31, 1992, Southwestern Electric Power Company

("SWEPCO"), tendered for filing a Letter Agreement dated December 19, 1991, between SWEPCO and the City of Bentonville, Arkansas ("City").

The Letter Agreement amends the Power Supply Agreement between SWEPCO and the City dated December 28, 1990. Section 10.7 of the Power Supply Agreement contemplated that by December 31, 1991, SWEPCO and the City would have completed negotiation of an amendment to the Power Supply Agreement that would have provided the City additional power supply planning flexibility and extended the primary term of the Power Supply Agreement. The Letter Agreement extends to February 29, 1992, the time in which the City and SWEPCO may complete negotiation of such an amendment.

Copies of the filing have been served upon the City and the Arkansas Public Service Commission.

Comment date: February 25, 1992, in accordance with Standard Paragraph E at the end of this notice.

4. Wisconsin Electric Power Company

[Docket No. ER92-310-000]

Take notice that Wisconsin Electric Power Company ("Wisconsin Electric") on February 3, 1992, tendered for filing an electric service agreement between itself and two wholesale customers, Oconto Falls Water and Light Commission and Oconto Electric Cooperative. The electric service agreement provides for the establishment of a second delivery point for service to Oconto Electric Cooperative.

Wisconsin Electric respectfully requests waiver of the Commission's notice requirements to allow an effective date of November 4, 1991, the actual in-service date of the second delivery point. Wisconsin Electric is authorized to state that the Oconto Falls Water and Light Commission and Oconto Electric Cooperative join in the requested effective date.

Copies of the filing have been served on Oconto Falls Water and Light Commission, Oconto Electric Cooperative, and the Public Service Commission of Wisconsin.

Comment date: February 25, 1992, in accordance with Standard Paragraph E at the end of this notice.

5. WestPlains Energy

[Docket No. ER92-193-000]

Take notice that on January 21, 1992, WestPlains Energy tendered for filing an amendment to its November 18, 1991 filing in the above-referenced docket.

Comment date: February 25, 1992, in accordance with Standard Paragraph E at the end of this notice.

6. Northern States Power Company (MN), Northern States Power Company (WI)

[Docket No. ER92-303-000]

Take notice that on January 31, 1992, Northern States Power Company ("NSP") tendered for filing the Western Interconnection and Interchange Agreement dated December 31, 1991, between Northern States Power Company (Minnesota) ("NSP-MIN"), Northern States Power Company (Wisconsin) ("NSP-WI") and the Wisconsin Public Power Incorporated System ("WPPI").

The Western Interconnection and Interchange Agreement ("Western Agreement") dated December 31, 1991, provides contractual points of interconnection between NSP and WPPI, and provides that NSP and WPPI may engage in transactions pursuant to future service schedules under the Western Agreement. WPPI was recently granted Participant Member status in MAPP for its generation and loads in the MAPP region. The Western Agreement relates to interconnections and services between NSP and that portion of WPPI which is a Participant Member in MAPP.

NSP requests that the Western Interconnection and Interchange Agreement be accepted for filing effective November 1, 1991, and requests waiver of Commission's notice requirements in order for the Agreement to be accepted for filing on that date.

Comment date: February 25, 1992, in accordance with Standard Paragraph E at the end of this notice.

7. Allegheny Power Service Corporation on Behalf of West Penn Power Company and Monongahela Power Company

[Docket No. ER92-298-000]

Take notice that on January 31, 1991, Allegheny Power Service Corporation on behalf of West Penn Power Company and Monongahela Power Company, filed Addendum V to the Operating Agreement dated June 1, 1971, among Appalachian Power Company, Ohio Power Company, Wheeling Electric Company, Monongahela Power Company and West Penn Power Company. Addendum V revises Schedules A, C, D and E of the Operating Agreement. The revisions propose to change rates charged by West Penn Power Company and Monongahela Power Company under the Operating Agreement's Schedules for Emergency Services, Short Term Power

and Energy, Limited Term Power and Energy, and Interchange Power and Energy. The revisions also modernize and standardize the language and provide more flexible service conditions.

Copies of the filing were served upon the Pennsylvania Public Utility Commission, Public Utilities Commission of Ohio, and the West Virginia Public Service Commission.

Comment date: February 25, 1992, in accordance with Standard Paragraph E at the end of this notice.

8. Louisville Gas and Electric Company

[Docket No. ER92-301-000]

Take notice that Louisville Gas and Electric Company (Louisville), by letter dated January 31, 1992, tendered for filing as an initial Rate Schedule an Agreement dated January 31, 1992 between Louisville and Oglethorpe Power Corporation (Oglethorpe).

This new agreement establishes a coordinated Power Sales Agreement between Louisville and Oglethorpe upon which the sale of power and energy and the delivery of third party purchases shall be effected. The rates of Louisville contained in the Agreement are the same as those currently in effect in an interconnection agreement between Louisville and Indiana Michigan Power Company.

A copy of the filing was served upon the Kentucky Public Service Commission, this Commission, and Oglethorpe.

Comment date: February 25, 1992, in accordance with Standard Paragraph E at the end of this notice.

9. Cogeneration Michigan Associates Limited Partnership and Beaver Michigan Associates Limited Partnership

[Docket Nos. EC92-9-000 and ER92-296-000]

Take notice that on January 29, 1992, Cogeneration Michigan Associates Limited Partnership (CMA), a Michigan limited partnership, and Beaver Michigan Associates Limited Partnership (BMA), a Michigan limited partnership, tendered for filing, pursuant to 18 CFR 35.1 and 35.13, proposed Supplement No. 8 to FERC Rate Schedule No. 1, applicable to sales of energy and capacity to Consumers Power Company (Consumers) from a biomass waste wood electric generating facility to be located in Cadillac, Michigan (the Facility). The Facility is a qualifying small power production facility within the meaning of sections 201 and 210 of the Public Utility Regulatory Policies Act of 1978 and the regulations promulgated thereunder.

CMA's initial rate schedule was accepted for filing by the Commission on November 29, 1990 in Docket No. ER91-12-000. The Commission also waived certain of its regulations found to be not appropriate or applicable to qualifying facilities.

The proposed supplemental rate schedule is set forth in Amendment No. 4 to Power Purchase Agreement (the "Amended Agreement"), between CMA and Consumers. The Amended Agreement supersedes and restates the initial rate schedule contained in the Facility's prior Power Purchase Agreement with Consumers, but does not modify any of the rates or other charges set forth in the initial rate schedule as filed in Docket No. ER91-12-000.

The Applicants request waiver of the Commission's 120 day notice requirements so that the supplemental rate schedule may take effect as of the date of the Facility's initial delivery to Consumers. The Applicants also seek waiver of the Commission's requirements for filing changes in the Supplemental Rate Schedule in the event of any change in the rates calculated pursuant to the formulas set forth in the Amended Agreement.

The Applicants also request approval under section 203 of the Federal Power Act in connection with the transfer and assignment of the Amended Agreement from CMA to BMA.

Additionally, BMA seeks waiver of the Commission's regulations regarding cost-of-service documentation, accounting practices, reporting requirements, property dispositions and consolidations, securities issuances or assumptions of liability, the holding of interlocking positions and such other matters as the Commission deems appropriate. Such waivers were previously granted to CMA in Docket No. ER91-12-000.

Copies of the instant filing have been served upon Consumers and the Michigan Public Service Commission.

Comment date: February 25, 1992, in accordance with Standard Paragraph E at the end of this notice.

10. Maine Public Service Company

[Docket No. ER92-313-000]

Take notice that on February 5, 1992, Maine Public Service Company (MPS) tendered for filing a proposed initial rate schedule with Alternative Energy, Inc. (AEI) covering transmission services by MPS for AEI's Beaver-Ashland generating facility to be constructed in Ashland, Maine. MPS has requested that the rate schedule become effective upon AEI securing financing for the

construction of Beaver-Ashland, at which time certain initial charges commence. However, commencement of deliveries from Beaver-Ashland are currently projected to occur some time in late 1993.

Comment date: February 25, 1992, in accordance with Standard Paragraph E at the end of this notice.

11. Madison Gas and Electric Company

[Docket No. ER92-312-000]

Take notice that on February 5, 1992, Madison Gas and Electric Company (MGE) tendered for filing with the Federal Energy Regulatory Commission an Agreement between it and Wisconsin Public Power, Inc. SYSTEM (WPPI). MGE and WPPI request waiver of the notice requirements to permit the Agreement to become effective February 1, 1992.

MGE states that a copy of the filing has been provided to WPPI and also to the Public Service Commission of Wisconsin.

Comment date: February 25, 1992, in accordance with Standard Paragraph E at the end of this notice.

12. Vermont Electric Power Company

[Docket No. ER92-284-000]

Take notice that on January 29, 1992, Vermont Electric Power Company tendered for filing an amendment to its January 23, 1992 filing in the above-referenced docket.

Comment date: February 25, 1992, in accordance with Standard Paragraph E at the end of this notice.

13. Central Illinois Public Service Company

[Docket No. ER92-304-000]

Take notice that on January 31, 1992, Central Illinois Public Service Company ("CIPS") tendered for filing a Power Supply and Transmission Services Agreement, dated January 9, 1992, between CIPS and Wabash Valley Power Association, Inc. ("Wabash Valley"). Under this agreement, CIPS will initially provide 50 MW of power and energy and related transmission services to Wabash Valley. Over the first three years, the sale of capacity will increase until, effective January 1, 1995 and thereafter, CIPS will provide 65 MW of power and energy to Wabash Valley. CIPS and Wabash Valley propose an effective date of August 1, 1992, and, therefore, request waiver of the Commission's notice requirements.

Copies of the filing have been served on Wabash Valley, the Illinois Commerce Commission and the Indiana Utility Regulatory Commission.

Comment date: February 25, 1992, in accordance with Standard Paragraph E at the end of this notice.

14. Wisconsin Public Service Corporation

[Docket No. ER92-307-000]

Take notice that on February 4, 1992, Wisconsin Public Service Corporation ("the Company") of Green Bay, Wisconsin, filed a proposed Supplement No. 3 to Supplement No. 9 to the Company's Service Agreement with WPPI which relates to WPPI peak shaving for the period January 1, 1994 through December 31, 1995.

WPPI is the only customer currently peak shaving under the Company's W-1 full requirements tariff. WPPI supports the filing and the proposed effective date of April 5, 1992.

The filing does not change the level of the Company's rates. The Company states that it has furnished copies of the filing to WPPI, its other customers who are served under the full requirements tariff, the Michigan Public Service Commission and the Public Service Commission of Wisconsin.

Comment date: February 25, 1992, in accordance with Standard Paragraph E at the end of this notice.

15. Consolidated Edison Company of New York, Inc.

[Docket No. ER92-52-000 and ER92-58-000]

Take notice that on January 31, 1992, Consolidated Edison Company of New York, Inc. ("Con Edison"), in response to a deficiency letter herein, tendered for filing additional information relative to certain agreements under which it provided transmission service to United Illuminating Company ("UI") and Green Mountain Power Corporation ("GMPC").

Con Edison states that copies of this filing have been served by mail upon UI and GMPC.

Comment date: February 25, 1992, in accordance with Standard Paragraph E at the end of this notice.

16. Wisconsin Power & Light Company, Wisconsin Public Service Corporation, and Madison Gas and Electric Company

[Docket No. ER92-311-000]

Take notice that on February 5, 1992, Wisconsin Power & Light Company, Wisconsin Public Service Corporation and Madison Gas and Electric Company tendered for filing with the Federal Energy Regulatory Commission Supplement No. 2 to the parties' July 26, 1973 Joint Power Supply Agreement. The Supplement Agreement has been entered into in settlement of certain matters that had been raised by Madison Gas and Electric Company in

Docket No. EL91-46-000; the earlier docket was terminated by Commission order dated September 27, 1991. The parties to the Supplemental Agreement request that it become effective on February 4, 1992, in accordance with its terms. Therefore waiver of notice is requested.

Copies of the filing have been provided to each of the signatories and to the Wisconsin Public Service Commission.

Comment date: February 25, 1992, in accordance with Standard Paragraph E at the end of this notice.

Standard Paragraphs

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,
Secretary.

[FR Doc. 92-3984 Filed 2-20-92; 8:45 am]
BILLING CODE 6717-01-M

[Project No. 11055-000 New Hampshire]

Wilton Hydroelectric Co., Inc., Availability of Environmental Assessment

February 13, 1992.

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's (Commission's) regulations, 18 CFR part 380 (Order No. 486, 52 FR 47897), the Office of Hydropower Licensing has reviewed the application for minor license for the existing unlicensed Wilton Hydroelectric Project located on the Souhegan River in Hillsborough County, near the Village of Wilton, New Hampshire, and has prepared an Environmental Assessment (EA) for the existing project. In the EA, the Commission's staff analyzed the environmental impacts of the existing

project and concluded that approval of the existing project, with appropriate enhancement measures, would not constitute a major Federal action significantly affecting the quality of the human environment.

Copies of the EA are available for review in the Public Reference Branch, room 3308, of the Commission's offices at 941 North Capitol Street NE., Washington, DC 20426.

Lois D. Cashell,

Secretary.

[FR Doc. 92-3985 Filed 2-20-92; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. JD92-03670T New Mexico-30]

State of New Mexico; NGPA Notice of Determination by Jurisdictional Agency Designating Tight Formation

February 13, 1991.

Take notice that on February 10, 1992, the Oil Conservation Division of the State of New Mexico (New Mexico), submitted the above-referenced notice of determination pursuant to 271.703(c)(3) of the Commission's regulations, that a portion of the Morrow Formation, Red Hills-Morrow Gas Pool, Pitchfork Ranch-Morrow Gas Pool and Vaca Draw-Morrow Gas Pool in Lea County, New Mexico, qualifies as a tight formation under section 107(b) of the Natural Gas Policy Act of 1978. The area of application includes approximately 29,120 acres (81% Federal, 16% State and 3% Fee) more particularly described as follows:

Township 25 South, Range 33 East, NMPM

Sections 1 through 14: All
Section 15: W/2
Sections 16 through 20: All
Section 21: N/2
Sections 22 through 36: All

Township 25 South, Range 34 East, NMPM

Sections 6 and 7: All
Section 8: S/2
Sections 17 through 20: All
Sections 29 through 32: All

The notice of determination also contains New Mexico's and the Bureau of Land Management's findings that the referenced portions of the Morrow Formation meet the requirements of the Commission's regulations set forth in 18 CFR part 271.

The application for determination is available for inspection, except for material which is confidential under 18 CFR 275.206, at the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426. Persons objecting to the

determination may file a protest, in accordance with 18 CFR 275.203 and 275.204, within 20 days after the date this notice is issued by the Commission.

Lois D. Cashell,

Secretary.

[FR Doc. 92-3986 Filed 2-20-92; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. GP92-6-000]

Charley Cain Gas Co.; Protest to Refund Demand and Billing Adjustment

February 13, 1992.

Take notice that on January 29, 1992 Charley Cain Gas Company (Cain) filed a protest pursuant to 18 CFR 270.101(e)(2)(ii) to the demand for refund and notice of billing adjustment issued to Cain by Columbia Gas Transmission Corporation (Columbia) dated November 11, 1991.

Cain states that on November 11, 1991 Columbia informed Cain that Columbia had paid Cain for gas purchased from the H. C. Cassady well, located in Martin County, Kentucky, at the Natural Gas Policy Act of 1978 (NGPA) section 108-1 rate during a period of time when that well's gas production had exceeded the 60 Mcf per day Stripper Well requirement. Cain states that Columbia alleged that it had overpaid Cain the difference between the NGPA section 108 and section 104 rates for the period April 1984 through March 1991. Cain states that Columbia demanded from Cain a refund in the amount of \$300,352.10, plus interest at the rate of \$71.68 per day up to the date of payment. Cain asserts that the subject well qualified as a Stripper Well at all relevant periods and, in the event it is held to have disqualified, asserts that the well requalified for all subsequent ninety day production periods.

Cain asserts that in order to examine the basis for Columbia's refund claim, Cain requires complete copies of Columbia's calculations supporting the refund claim.

Any person desiring to be heard or to protest said protest should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with 18 CFR 385.214 and 385.211 of the Commission's Rules and Regulations. All such motions or protests should be filed on or before February 21, 1992. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party

must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection in the public reference room.

Lois D. Cashell,

Secretary.

[FR Doc. 92-3987 Filed 2-20-92; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. RP91-187-000 and CP91-2448-000]

Florida Gas Transmission Co.; Reconvening Informal Settlement Conference

February 13, 1992.

Take notice that the informal settlement conference previously scheduled to be convened on February 18-19, 1992 (57 FR 2270; January 21, 1992), has been rescheduled to be held on March 18-19, 1992, at 10 a.m., on each day, at the offices of the Federal Energy Regulatory Commission, 810 First Street NE., Washington, DC, for the purpose of exploring the possible settlement of the issues in this proceeding.

Any party, as defined by 18 CFR 385.102(c), or any participant, as defined by 18 CFR 385.102(b), is invited to attend. Persons wishing to become a party must move to intervene and receive intervenor status pursuant to the Commission's regulations (18 CFR 385.214).

For additional information, contact Warren C. Wood at (202) 208-2091 or Donald Williams at (202) 208-0743.

Lois D. Cashell,

Secretary.

[FR Doc. 92-3988 Filed 2-20-92; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP92-48-000]

Viking Gas Transmission Co. Technical Conference

February 13, 1992.

A conference will be held on Tuesday March 24, 1992, at 10 a.m., pursuant to the December 31, 1991 order in the captioned docket.

The conference on March 24, 1992, will be held in a room to be designated at the offices of the Federal Energy Regulatory Commission, 810 First Street NE., Washington DC 20426.

All interested persons are permitted to attend.

Lois D. Cashell,

Secretary.

[FR Doc. 92-3989 Filed 2-20-92; 8:45 am]

BILLING CODE 6717-01-M

ENVIRONMENTAL PROTECTION AGENCY**[ER-FRL-4106-6]****Environmental Impact Statements; Availability**

Responsible Agency: Office of Federal Activities, General Information (202) 206-5076 or (202) 260-5075.

Availability of Environmental Impact Statements Filed February 10, 1992 Through February 14, 1992 Pursuant to 40 CFR 1506.9.

EIS No. 920040, Draft EIS, AFS, MT, Smeads-Rice Timber Sale, Implementation, Kootenai National Forest, Cabinet Ranger District, Sanders County, MT, Due: April 21, 1992, Contact: Dave Wischer (406) 827-3534.

EIS No. 920041, Final EIS, FHW, SC, Cross Island Expressway Construction, US 278 to Palmetto Bay Road, Hilton Head Island, Funding and section 10 and 404 Permits, Beaufort County, SC, Due: March 23, 1992, Contact: Kenneth Myers (803) 253-3881.

EIS No. 920042, Draft EIS, FHW, NC, Hickory East Side Thoroughfare Transportation Improvement, US 127 to I-40 east of Hickory and continuing to US 70 in the vicinity of Startown Road, Funding, Section 404 Permit, City of Hickory, Catawba County, NC, Due: April 08, 1992, Contact: Nicholas L. Graf (919) 856-4346.

EIS No. 920043, Draft EIS, IBR, CA, Arvin-Edison/Metropolitan Water Storage and Exchange Program, Central Valley Project, Implementation and Funding, City of Arvin, Kern County, CA, Due: April 20, 1992, Contact: Robert Shaffer (916) 978-5487.

EIS No. 920044, Final EIS, COE, KY, Lower Cumberland and Tennessee Rivers Navigation Improvements, Kentucky Lock Addition, Implementation, Nashville District, Marshall and Livingston Counties, KY, Due: March 23, 1992, Contact: Richard Tippit (615) 736-2020.

EIS No. 920045, Draft EIS, AFS, ID, Emerald Creek Resource Unit Drainage/Timber Sales, Implementation, Idaho Panhandle National Forests, St. Maries Ranger District, Benewah, Latah and Shoshone Counties, ID, Due: April 06, 1992, Contact: Tracy Gravelle (208) 245-2531.

EIS No. 920046, Draft EIS, SFW, VA, MD, Chincoteague National Wildlife Refuge (NWR) Comprehensive Management and Development Plan, Implementation and Land Acquisition,

Accomack Co, VA and Worcester Co., MD, Due: April 06, 1992, Contact: John D. Schoroer (804) 336-6122.

EIS No. 920047, Draft EIS, FAA, IN, Indianapolis International Airport Master Plan Development, Construction and Operation, Runway 5L/23R Parallel to existing Runway 14/32 and connecting to Runways 5R/23L and 5L/23R, Airport Layout Plan (ALP) Approval, Funding and section 404 Permit, Marion County, IN, Due: April 08, 1992, Contact: Melissa Wishy (312) 694-7524.

Amended Notices

EIS No. 920002, Final EIS, FAA, TX, Dallas/Fort Worth International Airport, Construction and Operation, Runway 16/34 East and Runway 16/34 West, Airport Layout Plan, Approval and Funding, Cities of Dallas and Fort Worth, TX, Due: March 19, 1992, Contact: Ms. Mo Keane (817) 624-5610. Published FR 01-17-92 - Review period extended.

Dated: February 18, 1992.

Richard E. Sanderson,

Director, Office of Federal Activities.

[FR Doc. 92-4074 Filed 2-20-92; 8:45 am]

BILLING CODE 6560-50-M

[ER-FRL-4106-7]**Environmental Impact Statements and Regulations; Availability of EPA Comments**

Availability of EPA comments prepared February 03, 1992 Through February 07, 1992 pursuant to the Environmental Review Process (ERP), under section 309 of the Clean Air Act and section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at (202) 260-5076.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated April 05, 1991 (56 FR 14096).

Final EISs

ERP No. F-COE-L91008-00 1992 Columbia/Snake Rivers Salmon Flow Measures, Implementation, WA, OR and ID.

Summary: EPA has remaining concerns pertaining to the effects of the preferred alternative on water quality (i.e., water quality standards) and overall fish survival.

ERP No. F-UAF-L11015-ID Air Force in Idaho Proposal, Mountain Home AFB Composite Wing Establishment, Modification of Airspace to Accommodate Air Force and Air

National Guard Flying Activities; and Air-to-Ground Training Range Establishment, Elmore County, ID.

Summary: EPA expressed concern about potential air quality impacts in the Jarbridge Wilderness area and suggested that the Air Force coordinate with EPA Region 9 on proposed activities.

ERP No. FS-UAF-J10003-00 Peacekeeper System Deployment (Minuteman III Missile Replacement) Additional Information, Near Warren AFB, Laramie, Goshen and Platte Counties, Wyoming and Scotts Bluff, Banner and Kimball Counties, Nebraska.

Summary: EPA has no objections to the proposed action.

ERP No. F1-SCS-J39013-00 Uintah Basin Unit Expansion Plan, Irrigation Improvement, Colorado River Salinity Control Program, Funding, Uintah and Duchesne Cos., UT.

Summary: EPA believes that different approaches to protect wetlands should be considered in salinity control programs.

Dated: February 18, 1992.

Richard E. Sanderson,

Director, Office of Federal Activities.

[FR Doc. 92-4075 Filed 2-20-92; 8:45 am]

BILLING CODE 6560-50-M

FARM CREDIT ADMINISTRATION**Privacy Act of 1974; Establishment of a New System of Records**

AGENCY: Farm Credit Administration (FCA).

ACTION: Advance notice with request for comments; publication of proposed system notice for a new system of records.

SUMMARY: The FCA is establishing a new system of records under the Privacy Act to consist of the investigatory files of the FCA's Office of the Inspector General (OIG). The publication of this proposed system notice is one of the steps required to establish the new system. The new system of records facilitates the OIG's ability to collect, maintain, use, and disclose information pertaining to individuals, thus helping to ensure that the OIG may efficiently and effectively perform its investigations and other authorized duties and activities.

EFFECTIVE DATE: Comments must be received on or before March 22, 1992. Unless changes are made in response to comments received, this action is effective March 22, 1992.

ADDRESSES: Comments may be mailed or delivered (in triplicate) to Jean Noonan, General Counsel, Office of General Counsel, Farm Credit Administration, McLean, Virginia 22102-5090. Copies of all communications will be available for examination by interested parties in the Office of General Counsel, Farm Credit Administration.

FOR FURTHER INFORMATION CONTACT:

Elizabeth M. Dean, Counsel to the Inspector General, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, (703) 883-4030,

or

Rebecca S. Orlich, Attorney, Regulatory and Legislative Law Branch, Office of General Counsel, Farm Credit Administration, McLean, VA 22102-5090, (703) 883-4020, TDD (703) 883-4444.

SUPPLEMENTARY INFORMATION: As required by 5 U.S.C. 552a(e)(4) and (11), the FCA is notifying the public of the establishment of a new system of records in the FCA's Office of the Inspector General (OIG). This system is being established as part of the formal creation of an OIG by action dated January 22, 1989, and the appointing of the FCA's Inspector General on the same date, under the authority of the 1988 amendments to the Inspector General Act of 1978. See Pub. L. No. 100-504, amending Pub. L. No. 95-452; 5 U.S.C. app. 3. Among the OIG's statutory duties are the prevention and detection of fraud, waste, and abuse relating to the agency's programs and operations, through the conduct of audits and investigations and the preparation of reports to the agency's Chairman and to Congress.

The system of records being established consists of investigatory files compiled and maintained by the OIG. Due to the law enforcement nature of these records, the proposed system is exempt from certain provisions of the Privacy Act, including disclosure to individuals who are the subject of a record in the system. See 5 U.S.C. 552a(j)(2) and (k)(2). The exempt status of the system is the subject of a notice of proposed rulemaking to amend FCA regulation 12 CFR 608.355, which specifies the FCA systems of records that are exempt from certain provisions of the Privacy Act. That notice will be published in the Federal Register on or about March 16, 1992. Pursuant to 5 U.S.C. 552a(r) and Office of Management and Budget (OMB) Circular No. A-130, *supra*, the FCA has submitted its report on the proposed

establishment of this system of records to both houses of Congress and to OMB.

Accordingly, the FCA proposes to establish the following system of records:

FCA-18

SYSTEM NAME:

Inspector General Investigative Files—FCA.

SECURITY CLASSIFICATION:

Not applicable.

SYSTEM LOCATION:

Office of the Inspector General (OIG), Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Subjects of OIG investigations relating to the programs and operations of the Farm Credit Administration. Subject individuals include, but are not limited to, current and former employees; current and former agents or employees of contractors or subcontractors, as well as current and former contractors and subcontractors in their personal capacity, where applicable; and other individuals whose actions affect the FCA, its programs or operations. Businesses, proprietorships, and corporations are not covered by this system.

CATEGORIES OF RECORDS IN THE SYSTEM:

Correspondence relating to the investigation; internal staff memoranda; copies of subpoenas issued during the investigation; affidavits, statements from witnesses, transcripts of testimony taken in the investigation, and accompanying exhibits; documents, records, or copies obtained during the investigation; interview notes, investigative notes, staff working papers, draft materials, and other documents and records relating to the investigation; opening reports, progress reports, and closing reports; and other investigatory information or data relating to alleged or suspected criminal, civil, or administrative violations or similar wrongdoing by subject individuals.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Inspector General Act Amendments of 1988, Pub. L. No. 100-504, amending the Inspector General Act of 1978, Pub. L. No. 95-452, 5 U.S.C. app. 3.

PURPOSE(S):

To document the conduct and outcome of investigations; to report results of investigation to other components of the FCA or other

agencies and authorities for their use in evaluating their programs and imposition of criminal, civil, or administrative sanctions; to report the results of investigations to other agencies or other regulatory bodies for an action deemed appropriate, and for retaining sufficient information to fulfill reporting requirements; and to maintain records related to the activities of the Office of the Inspector General.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

In addition to the disclosures generally permitted under 5 U.S.C. 552a(b), these records or information in these records either by itself or in combination with other information within the agency's possession, may specifically be disclosed pursuant to 5 U.S.C. 552a(b)(3) as follows, provided that no routine use specified herein shall be construed to limit or waive any other routine use specified herein:

(1) To other agencies, offices, establishments, and authorities, whether Federal, state, local, foreign, or self-regulatory (including, but not limited to, organizations such as professional associations or licensing boards), authorized or with the responsibility to investigate, litigate, prosecute, enforce, or implement a statute, rule, regulation, or order, where the record or information, by itself or in connection with other records or information:

(a) Indicates a violation or potential violation of law, whether criminal, civil, administrative, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, or

(b) Indicates a violation or potential violation of a professional, licensing, or similar regulation, rule, or order, or otherwise reflects on the qualifications or fitness of an individual who is licensed or seeking to be licensed;

(2) To any source, private or governmental, to the extent necessary to secure from such source information relevant to and sought in furtherance of a legitimate investigation or audit;

(3) To agencies, offices, or establishments of the executive, legislative, or judicial branches of the Federal or state government:

(a) Where such agency, office or establishment has an interest in an individual for employment purposes, including a security clearance or determination as to access to classified information, and needs to evaluate the individual's qualifications, suitability,

and loyalty to the United States Government, or

(b) Where such agency, office, or establishment conducts an investigation of the individual for purposes of granting a security clearance, or for making a determination of qualifications, suitability, or loyalty to the United States Government, or access to classified information or restricted areas, or

(c) Where the records or information in those records is relevant and necessary to a decision with regard to the hiring or retention of an employee or disciplinary or other administrative action concerning an employee, or

(d) Where disclosure is requested in connection with the award of a contract or other determination relating to a government procurement, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter, including, but not limited to, disclosure to any Federal agency responsible for considering suspension or debarment actions where such record would be germane to a determination of the propriety or necessity of such action, or disclosure to the United States General Accounting Office, the General Services Administration Board of Contract Appeals, or any other Federal contract board of appeals in cases relating to an agency procurement;

(4) To the Office of Personnel Management, the Office of Government Ethics, the Merit Systems Protection Board, the Office of the Special Counsel, or the Equal Employment Opportunity Commission, of records or portions thereof relevant and necessary to carrying out their authorized functions, such as, but not limited to, rendering advice requested by the OIG, investigations of alleged or prohibited personnel practices, appeals before official agencies, offices, panels or boards, and authorized studies or reviews of civil service or merit systems or affirmative action programs;

(5) To independent auditors or other private firms with which the Office of Inspector General has contracted to carry out an independent audit or investigation, or to analyze, collate, aggregate or otherwise refine data collected in the system of records, subject to the requirement that such contractors shall maintain Privacy Act safeguards with respect to such records;

(6) To any authorized agency component of the FCA, the Department of Justice, or other law enforcement authorities, and for disclosure by such parties:

(a) To the extent relevant and necessary in connection with litigation in proceedings before a court or other adjudicative body, where (i) the United States is a party to or has an interest in the litigation, including where the agency, or an agency component, or an agency official or employee in his or her official capacity, or an individual agency official or employee whom the Department of Justice has agreed to represent, is or may likely become a party, and (ii) the litigation is likely to affect the agency or any component thereof, or

(b) For purposes of obtaining advice, including advice concerning the accessibility of a record or information under the Privacy Act or the Freedom of Information Act;

(7) To the National Archives and Records Administration for records management inspections conducted under authority of 44 U.S.C. 2904 and 2906;

(8) To a Congressional office from the record of a subject individual in response to an inquiry from the Congressional office made at the request of that individual, but only to the extent that the record would be legally accessible to that individual;

(9) To any direct recipient of Federal funds, such as a contractor, where such record reflects serious inadequacies with a recipient's personnel and disclosure of the record is for purposes of permitting a recipient to take corrective action beneficial to the Government;

(10) To debt collection contractors for the purpose of collecting debts owed to the Government, as authorized under the Debt Collection Act of 1982, 31 U.S.C. 3718, and subject to applicable Privacy Act safeguards;

(11) To a grand jury agent pursuant either to a Federal or state grand jury subpoena, or to a prosecution request that such record be released for the purpose of its introduction to a grand jury, where such subpoena or request has been specifically approved by a court; or

(12) To the Office of Management and Budget (OMB) for the purpose of obtaining advice regarding agency obligations under the Privacy Act, or in connection with the review of private relief legislation pursuant to OMB Circular A-19.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:
STORAGE:

The OIG Investigative Files consist of paper records maintained in file folders, cassette tapes of interviews and data

maintained on computer diskettes. The folders, diskettes and cassette tapes are stored in file cabinets in the OIG.

RETRIEVABILITY:

The records are retrieved by the name of the subject of the investigation or by a unique control number assigned to each investigation.

SAFEGUARDS:

Records are maintained in lockable file cabinets in lockable rooms. Access is restricted to individuals whose duties require access to the records. File cabinets and rooms are locked during non-duty hours.

RETENTION AND DISPOSAL:

As prescribed in General Records Schedule 22, item 1b, OIG Investigative Files are destroyed 10 years after a case is closed. Cases that are unusually significant for documenting major violations of criminal law or ethical standards are offered to the National Archives for permanent retention.

SYSTEM MANAGER AND ADDRESS:

Inspector General, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090.

NOTIFICATION PROCEDURE:

By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Privacy Act Officer, Congressional and Public Affairs, Farm Credit Administration, 1501 Farm Credit Drive McLean, VA 22102-5090.

RECORD ACCESS PROCEDURE:

Same as above.

CONTESTING RECORD PROCEDURE:

Same as above.

RECORD SOURCE CATEGORIES:

Employees or other individuals on whom the record is maintained, non-target witnesses, FCA and non-FCA records, to the extent necessary to carry out OIG investigations authorized by 5 U.S.C. app. 3.

SYSTEM(S) EXEMPTED FROM CERTAIN PROVISIONS OF THE PRIVACY ACT:

Pursuant to 5 U.S.C. 552a(j)(2), records in this system are exempt from the provisions of 5 U.S.C. 552a except subsections (b), (c) (1) and (2), (e)(4) (A) through (F), (e) (6), (7), (9) (10), and (11), and (i), and corresponding provisions of 12 CFR 603.355, to the extent the system of records relates in any way to the enforcement of criminal laws.

Pursuant to 5 U.S.C. 552a(k)(2), the system is exempt from 5 U.S.C. 552a

(c)(3), (d), (e)(1), and (e)(4) (G), (H), and (I) and (f), and the corresponding provisions of 12 CFR 603.355, to the extent the system of records consists of investigatory material compiled for law enforcement purposes, other than material within the scope of the exemption at 5 U.S.C. 552a(j)(2). *See* FCA regulation, 12 CFR 603.355, as amended.

Dated: February 13, 1992
 Curtis M. Anderson,
 Secretary, Farm Credit Administration Board.
 [FR Doc. 92-4041 Filed 2-20-92; 8:45 am]
 BILLING CODE 6705-01-M

FEDERAL COMMUNICATIONS COMMISSION

[DA 92-99]

Revision of ARMIS USOA Report (FCC Report 43-02) and Adoption of ARMIS Operating Data Report (FCC Report 43-08)

AGENCY: Federal Communications Commission.
ACTION: Notice.

SUMMARY: This order requires carriers to incorporate 12 Form M schedules into the Commission's Automated Reporting Management Information System (ARMIS). This action increases the Commission's ability to accumulate, check, analyze and publish data in a more timely and efficient manner.

EFFECTIVE DATE: May 21, 1992.

FOR FURTHER INFORMATION CONTACT: Kenneth M. Ackerman, Federal Communications Commission, Accounting and Audits Division, Common Carrier Bureau, Washington, DC 20554, (202) 634-1861.

SUPPLEMENTARY INFORMATION: This is a summary of the Chief of Common Carrier Bureau's Memorandum Opinion and Order, DA 92-99, adopted January 21, 1992, and released January 31, 1992. The full text of this Commission decision is available for inspection and copying during normal business hours in the public reference room of the Commission's Accounting and Audits Division, 2000 L Street, NW., room 812, Washington, DC. The full text of this decision may also be purchased from the Commission's contractor, Downtown Copy Center, (202) 452-1422, 1114 21st Street, NW., Washington, DC 20036.

Public reporting burdens for the collections of information are estimated as follows: FCC Report 43-02 (OMB Control No. 3060-0395) estimated average of 240 hours per estimated annual 50 responses; FCC Report 43-08

(OMB Control No. None) estimated average of 160 hours per estimated annual 50 responses; FCC Form M (OMB Control No. 3060-0099) estimated average of 1400 hours per response per estimated annual 52 responses. The recordkeeping requirement for FCC Report 43-02 (OMB Control No. 3060-0395) is estimated to average 2 hours per recordkeeper with an estimated number of 50 recordkeepers. Total annual burden for all respondents is 92,900. (This is a decrease of 1250 hours from previous years.) These estimates include the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collections of information. Send comments regarding these burden estimates or any other aspect of the collections of information, including suggestions for reducing the burden, to the Federal Communications Commission, Information and Records Branch, room 416, Paperwork Reduction Project, Washington, DC 20554 and to the Office of Management and Budget, Paperwork Reduction Project, Washington, DC 20503.

Summary of Memorandum Opinion and Order

1. The Chief, Common Carrier Bureau, revised ARMIS USOA Report (FCC Report 43-02) to include four revised Form M schedules and incorporate these four schedules and eight additional Form M schedules into the Commission's Automated Reporting Management Information System (ARMIS). The Chief, Common Carrier Bureau, decided to incorporate these schedules into ARMIS because automation would allow the Commission to accumulate, check, analyze, and publish the data in a more timely and efficient manner. After the analysis of the pleadings received in this proceeding, the Chief, Common Carrier Bureau, modified the proposals in the Order Inviting Comments and extended the due date for the 1991 submittal to 90 days after the publication of this summary in the *Federal Register*. The Chief, Common Carrier Bureau, also adopted a number of technical and clerical changes to correct and clarify certain aspects of the ARMIS schedules.

Ordering Clause

2. Accordingly, *It is ordered*, pursuant to sections 4(i), 4(j), 201-205, 215, 219, and 220 of the Communications Act of 1934, as amended, 47 U.S.C. sections 154(i), 154(j), 201-205, 215, 218, 219, and 220, that the ARMIS USOA Report (FCC Report 43-02) *is revised*, ARMIS Operating Data Report (FCC Report 43-

08) *is adopted*, and Annual Report Form M *is amended*, effective 90 days from publication in the *Federal Register*.

Federal Communications Commission.
 Gerald P. Vaughan,
 Deputy Bureau Chief, Operations.
 [FR Doc. 92-3971 Filed 2-20-92; 8:45 am]
 BILLING CODE 6712-01-M

Advisory Committee on Advanced Television Service; Planning Subcommittee Meeting

A meeting of the Planning Subcommittee of the Advisory Committee on Advanced Television Service will be held on: March 11, 1992, 10 a.m., Commission Meeting Room (room 856), 1919 M Street NW., Washington, DC.

The purpose of this meeting is to receive the reports of the Subcommittee's working parties and to review Planning Subcommittee activities.

The agenda for the meeting is as follows:

1. Call to Order by the Chairman.
2. Adoption of the Minutes of the Eighth Meeting
3. Introductory Remarks
4. Status Reports by the Working Party and Advisory Group Chairs
5. Review of Remaining Activities
6. Other Business
7. Date and Location of the Next Subcommittee Meeting
8. Adjournment

This meeting is open to the public. Parties may submit written statements prior to or at the time of the meeting. Oral statements and discussion will be permitted under the direction of the Subcommittee Chairman.

Any questions regarding this meeting should be directed to Joseph A. Flaherty at (212) 975-2213 or William Hassinger at (202) 632-6460.

Federal Communications Commission.
 Donna R. Searcy,
 Secretary.

[FR Doc. 92-4070 Filed 2-20-92; 8:45 am]
 BILLING CODE 6712-01-M

[Report No. 1878]

Petitions for Reconsideration and Applications for Review of Actions in Rule Making Proceedings

February 18, 1992.

Petitions for reconsideration and applications for review have been filed in the Commission rule making proceedings listed in this Public Notice

and published pursuant to 47 CFR 1.429(e). The full text of these documents are available for viewing and copying in room 239, 1919 M Street, NW., Washington, DC, or may be purchased from the Commission's copy contractor Downtown Copy Center, (202) 452-1422. Oppositions to these petitions and applications must be filed March 9, 1992. See § 1.4(b)(1) of the Commission's rules (47 CFR 1.4(b)(1)). Replies to an opposition must be filed within 10 days after the time for filing oppositions has expired.

- Subject: Amendment of § 73.202(b)
Table of Allotments, FM Broadcast Stations. (Apalachicola, Florida and Carrabelle, Florida) (MM Docket No. 89-497, RM Nos. 6877 and 7269) Number of Petitions Filed: 1.
- Subject: Amendment of § 73.202(b)
Table of Allotments, FM Broadcast Stations. (Hannaha Mill, Milledgeville and Perry, Georgia) (MM Docket No. 89-547, RM Nos. 6899, 7021, 7100 and 7102) Number of Petitions Filed: 1.
- Subject: Amendment of § 73.202(b)
Table of Allotments, FM Broadcast Stations. (LaFayette, Georgia) (MM Docket No. 89-629, RM-7031) Number of Petitions Filed: 1.
- Subject: Amendment of § 73.202(b)
Table of Allotments, FM Broadcast Stations. (Columbia, California) (MM Docket No. 90-176, RM-7053) Number of Petitions Filed: 2.
- Subject: Amendment of Part 1 and 90 of the Commission's Rules Concerning the Construction Licensing and Operation of Private Land Mobile Radio Stations. (PR Docket No. 90-481, RM-6910) Number of Petitions Filed: 4.
- Subject: Amendment of § 73.202(b)
Table of Allotments, FM Broadcast Stations. (Bald Knob and Clarendon, Arkansas) (MM Docket No. 90-651, RM-7544) Number of Petitions Filed: 1.
- Subject: Amendment of § 73.202(b)
Table of Allotments, FM Broadcast Stations. (Reserve, Louisiana) (MM Docket No. 91-76, RM-7647) Number of Petitions Filed: 1.

Application for Review

- Subject: Amendment of § 73.606(b)
Table of Assignments, Television Broadcast Stations. (Kenansville, Florida) (MM Docket No. 88-388, RM-5385) Number of Applications Filed: 1.

Federal Communications Commission.

Donna R. Searcy,

Secretary.

[FR Doc. 92-4071 Filed 2-20-92; 8:45 am]

BILLING CODE 9712-01-M

Correction to Report Nos. 1668 and 1875

February 14, 1992-G4.

Petitions for reconsideration have been filed in the Commission rule making proceedings listed in this Public Notice and published pursuant to 47 CFR 1.429(e). The full text of these documents are available for viewing and copying in room 239, 1919 M Street, NW., Washington, DC, or may be purchased from the Commission's copy contractor Downtown Copy Center (202) 452-1422. Oppositions to these petitions must be filed March 9, 1992. See § 1.4(b)(1) of the Commission's rules (47 CFR 1.4(b)(1)). Replies to an opposition must be filed within 10 days after the time for filing oppositions has expired.

Subject: Amendment of parts 21, 43, 74, 78 and 94 of the Commission's Rules Governing Use of the Frequencies in the 2.1 and 2.5 GHz Bands Affecting: Private Operational-Fixed Microwave Service, Multipoint Distribution Service, Multichannel Multipoint Distribution Service, Instructional Television Fixed Service, and Cable Television Relay Service. (Gen. Docket No. 90-54)

Filed by: Frederick M. Joyce and Christine McLaughlin, Attorneys for Ruralvision South & Ruralvision Central on 11/25/91. Paul J. Sinderbrand, Attorney for The Wireless Cable Association, Inc. on 12/13/91. Howard J. Braun, Attorney for Ross Communications Incorporated, Joseph J. Hemenway, James D. Larson and Michael F. Reed on 12/16/91.

The above list includes all petitions for reconsideration filed in Gen. Docket No. 90-54. On December 11, 1991, the Commission issued a public notice (Report No. 1668) which listed only one petition being filed. Because the deadline date for filing petitions for reconsideration in this proceeding had not ended when that public notice was issued, the filing dates for responses is modified to correspond with this public notice.

Subject: Review of the Technical Assignment Criteria for the AM Broadcast Service. (MM Docket No. 87-267)

Filed by: Edward A. Schober, PE on 12/3/91.

The above petition for reconsideration was inadvertently omitted from the Commission's public notice (Report No. 1875) issued on February 5, 1992. That Public notice has been published in the Federal Register (57 FR 4879, February 10, 1992). The response dates established in the Federal Register (Oppositions due February 25, 1992 and

replies due March 6, 1992) will also apply to this petition.

Federal Communications Commission.

Donna R. Searcy,

Secretary.

[FR Doc. 92-3972 Filed 2-20-92; 8:45 am]

BILLING CODE 9712-01-M

FEDERAL RESERVE SYSTEM

Josiah and Valer Austin, et al.; Change in Bank Control Notices; Acquisitions of Shares of Banks or Bank Holding Companies

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. Once the notices have been accepted for processing, they will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than March 13, 1992.

A. Federal Reserve Bank of New York (William L. Rutledge, Vice President) 33 Liberty Street, New York, New York 10045:

1. *Josiah and Valer Austin, Pearce*, Arizona; to acquire up to 18.7 percent of the voting shares of Westport Bancorp, Inc., Westport, Connecticut, and thereby indirectly acquire Westport Bank and Trust Company, Westport, Connecticut.

B. Federal Reserve Bank of Dallas (W. Arthur Tribble, Vice President) 400 South Akard Street, Dallas, Texas 75222:

1. *David Neal Walthall*, Plano, Texas; to acquire an additional 6.25 percent of the voting shares of Equitable Bankshares, Inc., Dallas, Texas, for a total of 15.37 percent, and thereby indirectly acquire Equitable Bank, Dallas, Texas, and Equitable Bank, N.A., Arlington, Texas.

Board of Governors of the Federal Reserve System, February 14, 1992.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 92-4922 Filed 2-20-92; 8:45 am]

BILLING CODE 6210-01-F

Bayerische Landesbank Girozentrale, et al.; Acquisitions of Companies Engaged in Permissible Nonbanking Activities

The organizations listed in this notice have applied under § 225.23(a)(2) or (f) of the Board's Regulation Y (12 CFR 225.23(a)(2) or (f)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to acquire or control voting securities or assets of a company engaged in a nonbanking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holding companies. Unless otherwise noted, such activities will be conducted throughout the United States.

Each application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated for the application or the offices of the Board of Governors not later than March 17, 1992.

A. Federal Reserve Bank of New York (William L. Rutledge, Vice President) 33 Liberty Street, New York, New York 10045:

1. *Bayerische Landesbank Girozentrale*, Munich, Germany; *Commerzbank AG*, Frankfurt am Main, Germany; *Dresdner Bank AG*, Frankfurt am Main, Germany; to acquire Mercedes-Benz Credit Corporation, Norwalk, Connecticut, and thereby engage in making, acquiring, or servicing loans or other extensions of credit pursuant to § 225.25(b)(1); leasing

personal or real property or acting as agent, broker, or adviser in leasing such property pursuant to § 225.25(b)(5); and acting as principal, agent, or broker for credit life insurance pursuant to § 225.25(b)(8)(i) of the Board's Regulation Y.

Board of Governors of the Federal Reserve System, February 14, 1992.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 92-4023 Filed 2-20-92; 8:45 am]

BILLING CODE 6210-01-F

Command Credit Corporation; Formation of, Acquisition by, or Merger of Bank Holding Companies; and Acquisition of Nonbanking Company

The company listed in this notice has applied under § 225.14 of the Board's Regulation Y (12 CFR 225.14) for the Board's approval under section 3 of the Bank Holding Company Act (12 U.S.C. 1842) to become a bank holding company or to acquire voting securities of a bank or bank holding company. The listed company has also applied under § 225.23(a)(2) of Regulation Y (12 CFR 225.23(a)(2)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to acquire or control voting securities or assets of a company engaged in a nonbanking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holding companies, or to engage in such an activity. Unless otherwise noted, these activities will be conducted throughout the United States.

The application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the

evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Comments regarding the application must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than March 17, 1992.

A. Federal Reserve Bank of San Francisco (Kenneth R. Binning, Director, Bank Holding Company) 101 Market Street, San Francisco, California 94105:

1. *Command Credit Corporation*, Rockville Centre, New York; to become a bank holding company by acquiring 100 percent of the voting shares of Republic National Bancorp, Inc., Phoenix, Arizona, and thereby indirectly acquire Republic National Bank of Arizona, Phoenix, Arizona.

In connection with this application, Applicant also proposes to engage *de novo* in making, acquiring, or servicing loans or other extensions of credit for the company's account or the account of others pursuant to § 225.25(b)(1); providing financial advice pursuant to § 225.25(b)(4)(iv); providing data processing services for institutions offering secured credit cards under contract with the Applicant pursuant to § 225.25(b)(7); management consulting to non-affiliated depository institutions pursuant to § 225.25(b)(11); and operating a collection agency pursuant to § 225.25(b)(23) of the Board's Regulation Y.

Board of Governors of the Federal Reserve System, February 14, 1992.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 92-4024 Filed 2-20-92; 8:45 am]

BILLING CODE 6210-01-F

Gloucester County Bankshares, Inc., et al.; Formations of; Acquisitions by; and Mergers of Bank Holding Companies

The companies listed in this notice have applied for the Board's approval under section 3 of the Bank Holding Company Act (12 U.S.C. 1842) and § 225.14 of the Board's Regulation Y (12 CFR 225.14) to become a bank holding company or to acquire a bank or bank holding company. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the

Reserve Bank or to the offices of the Board of Governors. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Unless otherwise noted, comments regarding each of these applications must be received not later than March 17, 1992.

A. Federal Reserve Bank of Philadelphia (Thomas K. Desch, Vice President) 100 North 6th Street, Philadelphia, Pennsylvania 19105:

1. *Gloucester County Bankshares, Inc.*, Woodbury, New Jersey; to become a bank holding company by acquiring 100 percent of the voting shares of The Bank of Gloucester County, Woodbury, New Jersey.

B. Federal Reserve Bank of Atlanta (Robert E. Heck, Vice President) 104 Marietta Street, NW., Atlanta, Georgia 30303:

1. *Peoples Preferred Bancshares, Inc.*, Colquitt, Georgia; to acquire 100 percent of the voting shares of Columbia Banking Company, Inc., Columbia, Alabama, and thereby indirectly acquire Bank of Columbia, Columbia, Alabama.

C. Federal Reserve Bank of Chicago (David S. Epstein, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *B J Morgan Bancshares, Inc.*, Morgantown, Indiana; to become a bank holding company by acquiring 100 percent of the voting shares of First State Bank, Morgantown, Indiana.

D. Federal Reserve Bank of Kansas City (John E. Yorke, Senior Vice President) 925 Grand Avenue, Kansas City, Missouri 64198:

1. *Porter Bancshares, Inc.*, Porter, Oklahoma; to become a bank holding company by acquiring 100 percent of the voting shares of The First National Bank of Porter, Porter, Oklahoma.

Board of Governors of the Federal Reserve System, February 14, 1992.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 92-4025 Filed 2-20-92; 8:45 am]

BILLING CODE 6210-01-F

The entry for Peoples Financial Corporation is revised to read as follows:

A. Federal Reserve Bank of St. Louis (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. *Peoples First Corporation*, Paducah, Kentucky; to acquire 100 percent of the voting shares of Bank of Murray, Murray, Kentucky.

Comments on this application must be received by February 28, 1992.

Board of Governors of the Federal Reserve System, February 14, 1992.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 92-4021 Filed 2-20-92; 8:45 am]

BILLING CODE 6210-01-F

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 92F-0030]

Hoechst Celanese Corp.; Filing of Food Additive Petition

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that Hoechst Celanese Corp. has filed a petition proposing that the food additive regulations be amended to provide for the safe use of acesulfame potassium as a nonnutritive sweetener available to the consumer in bulk package form.

FOR FURTHER INFORMATION CONTACT: Patricia A. Hansen, Center for Food Safety and Applied Nutrition (HFF-333), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-254-9523.

SUPPLEMENTARY INFORMATION: Under the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5) (21 U.S.C. 348(b)(5))), notice is given that a petition (FAP 2A4309) has been filed by Hoechst Celanese Corp., Route 202-206 North, Somerville, NJ 08876. The petition proposes to amend the food additive regulations in § 172.800 *Acesulfame potassium* (21 CFR 172.800) to provide for the safe use of acesulfame potassium as a nonnutritive sweetener available to the consumer in bulk package form.

The potential environmental impact of this action is being reviewed. If the agency finds that an environmental impact statement is not required and this petition results in a regulation, the notice of availability of the agency's finding of no significant impact and the evidence supporting that finding will be

published with the regulation in the *Federal Register* in accordance with 21 CFR 25.40(c).

Dated: February 12, 1992.

Fred R. Shank,

Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 92-4009 Filed 2-20-92; 8:45 am]

BILLING CODE 4160-01-M

[Docket No. 92N-0070]

Duramed Pharmaceuticals, Inc.; Withdrawal of Approval of Three Abbreviated New Drug Applications

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is withdrawing approval of three abbreviated new drug applications (ANDA's) held by Duramed Pharmaceuticals, Inc., 5040 Lester Rd., Cincinnati, OH 45213 (Duramed). Duramed has agreed in writing to permit FDA to withdraw approval of the applications, and has waived its opportunity for a hearing. This action stems from the discovery of untrue statements, discrepancies, and omissions concerning information used to support approval of the applications.

EFFECTIVE DATE: February 21, 1992.

FOR FURTHER INFORMATION CONTACT:

Richard S. Lev, Center for Drug Evaluation and Research (HFD-366), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301-295-8041.

SUPPLEMENTARY INFORMATION: Recently, FDA became aware of untrue statements, discrepancies, and omissions that relate to batches of drug products used to support approval of the following ANDA's held by Duramed:

ANDA 89-484: Prochlorperazine Maleate Tablets, 5 milligrams (mg);

ANDA 89-485: Prochlorperazine Maleate Tablets, 10 mg; and

ANDA 89-486: Prochlorperazine Maleate Tablets, 25 mg.

After careful review of inspectional findings, Duramed's own internal audit results, and letters from the firm, the agency determined that there was sufficient justification to initiate proceedings to withdraw approval of the products listed above. Duramed was notified in writing of these determinations and, in accordance with 21 CFR 314.150(d), was offered an opportunity to permit FDA to withdraw the applications. Subsequently, in a letter dated January 28, 1992, Duramed

Peoples First Corporation; Formation of, Acquisition by, or Merger of Bank Holding Companies; Correction

This notice corrects a previous *Federal Register* Notice (FR Doc. 92-1985), published at page 3205 of the issue for Tuesday, January 28, 1992.

requested withdrawal of these ANDA's thereby waiving its opportunity for a hearing.

Therefore, under section 505(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(e)), and under authority delegated to the Director of the Center for Drug Evaluation and Research (21 CFR 5.82), approval of the ANDA's listed above, and all amendments and supplements thereto, is withdrawn effective February 21, 1992. Distribution of these products in interstate commerce without an approved application is illegal and subject to regulatory action.

Dated: February 13, 1992.

Gerald F. Meyer,

Deputy Director, Center for Drug Evaluation and Research.

[FR Doc. 92-4010 Filed 2-20-92; 8:45 am]

BILLING CODE 4160-01-M

[Docket No. 92N-0071]

**Quad Pharmaceuticals, Inc.;
Withdrawal of Approval of 97
Abbreviated New Drug Applications**

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is withdrawing approval of 97 abbreviated new drug applications (ANDA's) held by Quad Pharmaceuticals, Inc., 6340 La Pas Trail, Indianapolis, IN 46268 (Quad). Quad notified the agency in writing that the drug products were no longer marketed and requested that the approval of the applications be withdrawn.

EFFECTIVE DATE: March 23, 1992.

FOR FURTHER INFORMATION CONTACT: Lola E. Batson, Center for Drug Evaluation and Research (HFD-360), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301-295-8038.

SUPPLEMENTARY INFORMATION: Quad, the holder of the ANDA's listed in the table in this document, has informed FDA that these drug products are no longer marketed and has requested that FDA withdraw approval of the applications. The applicant has also, by its request, waived its opportunity for a hearing.

ANDA No.	Drug
62-642	Kanamycin Sulfate Injection, 75 milligrams (mg)/2 milliliters (mL), 500 mg/2 mL, and 1 gram (g)/3 mL.
62-643	Doxycycline Hydrate for Injection, 100 and 200 mg/vial.

ANDA No.	Drug	ANDA No.	Drug
62-660	Sterile Erythromycin Lactobionate, 500 and 1,000 mg/vial.	89-265	Methylprednisolone Sodium Succinate for Injection, 125 mg/vial.
62-696	Bacitracin, 10,000 and 50,000 units/vial.	89-266	Methylprednisolone Sodium Succinate for Injection, 500 mg/vial.
62-784	Lincomycin Hydrochloride Injection, 300 mg/mL.	89-267	Methylprednisolone Sodium Succinate for Injection, 1,000 mg/vial.
62-845	Sterile Vancomycin Hydrochloride, 500 and 1,000 mg/vial.	89-280	Dexamethasone Sodium Phosphate Injection, 4 mg Phosphate/mL.
62-877	Clindamycin Phosphate Injection, 150 mg/mL.	89-281	Dexamethasone Sodium Phosphate Injection, 10 mg Phosphate/mL.
70-671	Metoclopramide Hydrochloride Injection, 10 mg/2 mL.	89-282	Dexamethasone Sodium Phosphate Injection, 20 mg Phosphate/mL.
70-672	Verapamil Hydrochloride Injection, 2.5 mg/mL.	89-283	Testosterone Propionate Injection, 100 mg/mL.
70-678	Naloxone Hydrochloride Injection, 0.02 mg/mL.	89-293	Methotrexate Sodium for Injection, 20 mg/vial.
70-679	Naloxone Hydrochloride Injection, 0.4 mg/mL.	89-294	Methotrexate Sodium for Injection, 50 mg/vial.
70-680	Naloxone Hydrochloride Injection, 1 mg/mL.	89-295	Methotrexate Sodium for Injection, 100 mg/vial.
70-692	Nalbuphine Hydrochloride Injection, 10 mg/mL.	89-296	Methotrexate Sodium for Injection, 250 mg/vial.
70-693	Nalbuphine Hydrochloride Injection, 20 mg/mL.	89-297	Nandrolone Phenpropionate Injection, 25 mg/mL.
70-694	Aminocaproic Acid Injection, 250 mg/mL.	89-298	Nandrolone Phenpropionate Injection, 50 mg/mL.
70-701	Ritodrine Hydrochloride Injection, 15 mg/mL.	89-307	Protamine Sulfate for Injection, 50 mg/vial.
70-762	Fluphenazine Decanoate Injection, 25 mg/mL.	89-308	Methotrexate Sodium for Injection, 25 mg/mL.
70-777	Vincristine Sulfate Injection, 1 mg/mL.	89-309	Methotrexate Sodium for Injection, 25 mg/mL.
70-778	Vincristine Sulfate Injection, 1 mg/mL.	89-310	Estradiol Cypionate Injection, 5 mg/mL.
70-821	Dacarbazine for Injection, 100 mg/mL.	89-311	Vinblastine Sulfate Injection, 1 mg/mL.
70-822	Dacarbazine for Injection, 200 mg/mL.	89-312	Chorionic Gonadotropin for Injection, 5,000 units.
71-023	Glucagon for Injection, 10 mg base/vial.	89-313	Chorionic Gonadotropin for Injection, 5,000 units.
71-024	Methyldopate Hydrochloride Injection, 50 mg/mL.	89-314	Chorionic Gonadotropin for Injection, 10,000 units.
71-055	Sterile Floxuridine, 500 mg/vial.	89-315	Chorionic Gonadotropin for Injection, 10,000 units.
71-082	Haloperidol Lactate Injection, 5 mg/mL.	89-316	Chorionic Gonadotropin for Injection, 20,000 units.
71-094	Nitroglycerin Injection, 5 mg/mL.	89-324	Testosterone Enanthate Injection, 100 mg/mL.
71-095	Nitroglycerin Injection, 10 mg/mL.	89-325	Testosterone Enanthate Injection, 200 mg/mL.
71-181	Bretylium Tosylate Injection, 50 mg/mL.	89-326	Testosterone Cypionate Injection, 100 mg/mL.
71-222	Vincristine Sulfate for Injection, 1 mg/vial.	89-327	Testosterone Cypionate Injection, 200 mg/mL.
71-223	Vincristine Sulfate for Injection, 2 mg/vial.	89-330	Hydroxyprogesterone Caproate Injection, 125 mg/mL.
71-248	Sterile Cytarabine for Injection, 100 mg/vial.	89-331	Hydroxyprogesterone Caproate Injection, 250 mg/mL.
71-249	Sterile Cytarabine for Injection, 500 mg/vial.	89-365	Sterile Vinblastine Sulfate for Injection, 10 mg/vial.
71-341	Sulfamethoprim (Sulfamethoxazole, 80 mg/mL, and Trimethoprim, 16 mg/mL) Injection.	89-368	Fluorouracil Injection, 50 mg/mL.
71-563	Dacarbazine for Injection, 500 mg/vial.	89-372	Dexamethasone Sodium Phosphate Injection, 24 mg Phosphate/mL.
71-740	Acetylcysteine Solution, 10%.	89-397	Glycopyrrolate Injection, 0.2 mg/mL.
71-741	Acetylcysteine Solution, 20%.	89-443	Metocurine Iodide Injection, 2 mg/mL.
71-937	Vincristine Sulfate for Injection, 5 mg/vial.	89-455	Fluorouracil Injection, 50 mg/mL.
71-942	Droperidol Injection, 2.5 mg/mL.	89-496	Leucovorin Calcium for Injection, 50 mg/vial.
71-949	Ketamine Hydrochloride Injection, 10 mg/mL.	89-503	Leucovorin Calcium for Injection, 5 mg/mL.
71-950	Ketamine Hydrochloride Injection, 50 mg/mL.	89-504	Leucovorin Calcium for Injection, 5 mg/mL.
71-951	Ketamine Hydrochloride Injection, 100 mg/mL.	89-581	Hydrocortisone Sodium Phosphate Injection, 50 mg/mL.
72-208	Pancuronium Bromide Injection, 2 mg/mL.	89-636	Leucovorin Calcium for Injection, 100 mg/vial.
72-209	Pancuronium Bromide Injection, 1 mg/mL.	89-637	Prochlorperazine Edisylate Injection, 5 mg/mL.
72-224	Sterile Pralidoxime Chloride, 1 g/vial.	89-638	Prochlorperazine Edisylate Injection, 5 mg/mL.
89-248	Nandrolone Decanoate Injection, 50 mg/mL.	89-800	Fluphenazine Hydrochloride Injection, 2.5 mg/mL.
89-249	Nandrolone Decanoate Injection, 100 mg/mL.		
89-250	Nandrolone Decanoate Injection, 200 mg/mL.		
89-256	Procainamide Hydrochloride Injection, 100 mg/mL.		
89-257	Procainamide Hydrochloride Injection, 500 mg/mL.		
89-264	Methylprednisolone Sodium Succinate for Injection, 40 mg/vial.		

ANDA No.	Drug
89-815.....	Bethanechol Chloride Injection, 5 mg/mL.
89-816.....	Isoniazid Injection, 100 mg/mL.
89-821.....	Aminhippurate Sodium Injection, 20%.
89-893.....	Trifluoperazine Hydrochloride Injection, 2 mg/mL.

Therefore, under section 505(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(e)) and under authority delegated to the Director of the Center for Drug Evaluation and Research (21 CFR 5.82), approval of the abbreviated new drug applications listed above, and all supplements thereto, is hereby withdrawn, effective March 23, 1992.

Dated: February 13, 1992.

Gerald F. Meyer,

Deputy Director, Center for Drug Evaluation and Research.

[FR Doc. 92-4011 Filed 2-20-92; 8:45 am]

BILLING CODE 4160-01-M

[Docket No. 91E-0492]

Determination of Regulatory Review Period for Purposes of Patent Extension; Accupril®; Correction

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice; correction.

SUMMARY: The Food and Drug Administration (FDA) is correcting a notice that appeared in the *Federal Register* of February 4, 1992 (57 FR 4212) that determined the regulatory review period for purposes of patent extension for Accupril®. The document was published with an error in the number of days that the applicant is seeking for the patent term extension. This document corrects that error.

FOR FURTHER INFORMATION CONTACT: Brian J. Malkin, Office of Health Affairs (HFY-20), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-1382.

In FR Doc. 92-2633, appearing on page 4212, in the *Federal Register* of Tuesday, February 4, 1992, the following correction is made: On the same page, in the third column, in the last paragraph, in the second line from the bottom, "2,204 days" is corrected to read "2 years".

Dated: February 14, 1992.

Stuart L. Nightingale,

Associate Commissioner for Health Affairs.

[FR Doc. 92-4080 Filed 2-20-92; 8:45 am]

BILLING CODE 4160-01-M

Health Resources and Services Administration

Final Funding Priorities for Cooperative Agreements for Area Health Education Center Programs

The Health Resources and Services Administration (HRSA) announces the final funding priorities for fiscal year 1992 Cooperative Agreements for the Area Health Education Centers (AHEC) Program under the authority of section 781(a)(1), title VII of the Public Health Service Act, as amended by the Health Professions Reauthorization Act of 1988, title VI of Public Law 110-607.

This authority expired on September 30, 1991. This program announcement is subject to the reauthorization of this legislative authority.

Approximately \$17.3 million is available for this program in FY 1992. Of this amount \$15,166,000 is committed to previously approved continuation awards. Approximately \$2.1 is expected to be available to fund 3 competing awards averaging \$700,000.

The period of Federal support should not exceed 9 years for an area Health Education Center Program and 6 years for an Area Health Education Center. These numbers were inadvertently transposed in the proposed notice.

Final Funding Priority

Proposed Funding Priorities were published in the *Federal Register* dated August 14, 1991, at 56 FR 40335. No comments were received during the 30-day comment period.

The proposed funding priorities will be retained as follows and priority will be given to:

1. Applications proposing centers that will serve Health Professional Shortage Areas with a greater proportion of American Indian/Alaskan Natives, Asian/Pacific Islanders, Blacks, and/or Hispanics than exists in the general population in the United States; and
2. Applications which are innovative in their health professions educational approaches in two or more of the following areas: infant mortality prevention, HIV/AIDS, substance abuse or geriatrics.

Questions regarding programmatic information should be directed to: Ms. Cherry Tsutsumida, Chief, Multidisciplinary Centers and Programs Branch, Division of Medicine, Bureau of Health Professions, Health Resources and Services Administration, 5600 Fishers Lane, room 4C-05, Rockville, Maryland 20857, Telephone: (301) 443-6817.

This program is listed at 93.824 in the Catalog of Federal Domestic Assistance.

Dated: November 1, 1991.

Robert G. Harmon,

Administrator.

[FR Doc. 92-4081 Filed 2-20-92; 8:45 am]

BILLING CODE 4160-15-M

Final Funding Priority for Grants for Area Health Education Centers Special Initiatives

The Health Resources and Services Administration (HRSA) announces the final funding priority for fiscal year (FY) 1992 for Grants for Area Health Education Centers Special Initiatives under the authority of section 781(a)(2) title VII of the Public Health Service (PHS) Act, as amended by the Health Professions Reauthorization Act of 1988, title VI of Public Law 100-607.

This authority expired on September 30, 1991. This program announcement is subject to the reauthorization of this legislative authority.

Approximately \$1.8 million is available for this program in FY 1992. Of this amount \$950,000 is committed to previously approved continuation awards. Approximately 10 competing awards averaging \$80,000 will be made.

Final Funding Priority for Fiscal Year 1992

In addition to previously established funding priorities, a proposed funding priority was published in the *Federal Register* dated June 25, 1991 at 56 FR 28919, for public comment. No comments were received during the 30-day comment period. Therefore, as proposed, the priority will be retained for applications which are innovative in their health professions educational approaches to infant mortality prevention, HIV/AIDS, substance abuse or geriatrics.

If additional programmatic information is needed, please contact: Ms. Cherry Tsutsumida, Chief, Multidisciplinary Centers and Programs Branch, Division of Medicine, Bureau of Health Professions Health Resources and Services Administration, 5600 Fishers Lane, room 4C-05, Rockville, Maryland 20857, Telephone: (301) 443-6817.

This program is listed at 93.824 in the Catalog of Federal Domestic Assistance. It is not subject to the provisions of Executive Order 12372, Intergovernmental Review of Federal Programs (as implemented through 45 CFR part 100).

Dated: October 11, 1991.

Robert G. Harmon,
Administrator.

[FR Doc. 92-4082 Filed 2-20-92; 8:45am]

BILLING CODE 4160-15-M

Pediatric Acquired Immune Deficiency Syndrome (AIDS); Health Care Demonstration Projects

AGENCY: Health Resources and Services Administration (HRSA), HHS.

ACTION: Pre-application technical assistance meeting.

SUMMARY: The Health Resources and Services Administration is conducting a pre-application technical assistance meeting concerning the funding available under Public Law 102-170 for Pediatric AIDS Health Care Demonstration Projects. One category of grants under this program will be awarded to public and nonprofit and for-profit private entities, including public or private hospitals, university medical centers, State or local health departments, health care and community organizations. Grantees will develop, organize, deliver, and arrange for comprehensive community-based, family-centered, coordinated services to children, youth, women, and families affected by the human immunodeficiency virus, incorporating prevention efforts to reduce perinatal transmission and the spread of the infection to vulnerable populations.

PURPOSE: The meetings will provide technical assistance and an overview of the requirements for funding under this Pediatric AIDS Health Care Demonstration funding category. The program guidance and application process will be discussed.

CONTACT: Anyone interested in attending the meeting should contact Ms. Beth Roy, Division of Services for Children with Special Health Needs, room 18A-19, 5600 Fishers Lane, Rockville, Maryland 20857, Telephone (301) 443-9051. Costs of attending are to be borne by prospective applicants.

DATE AND TIME: March 13, 1992, 8:30 a.m. to 4 p.m.

PLACE: Crystal City Hyatt Hotel, Arlington, VA, 22202.

Dated: February 14, 1992.

Robert G. Harmon,
Administrator.

[FR Doc. 92-4083 Filed 2-20-92; 8:45 am]

BILLING CODE 4165-15-M

Indian Health Service

Availability of Funds for Loan Repayment Program for Health Professions Educational Loans

AGENCY: Indian Health Service (IHS), HHS.

ACTION: Notice.

SUMMARY: The Indian Health Service announces that approximately \$5,000,000 in fiscal year (FY) 1992 funds are available for the repayment of health professions educational loans in return for full-time clinical service in Indian health programs. This program is authorized by section 108 of Public Law 100-713, "Indian Health Care Amendments of 1988," enacted on November 23, 1988. Through this notice, the IHS invites potential applicants to request an application for participation in the Loan Repayment Program. The IHS estimates that approximately 120 loan repayment awards may be made with this funding.

DATES: Applications for the FY 1992 cycle of this program will be accepted and evaluated during 3 evaluation and funding cycles. Applicants selected for participation in the FY 1992 program cycle will be expected to begin their service period no later than September 30, 1992. The following application deadlines and award dates are provided below:

Application deadline	Award date
March 20, 1992.....	April 17, 1992.
June 5, 1992.....	July 3, 1992.
August 28, 1992.....	September 30, 1992.

Applications shall be considered as meeting the deadline if they are either:

1. Received on or before the deadline date; or
2. Sent on or before the deadline and received in time for submission to the review panel. (Applicants should request a legibly dated U.S. Postal Service postmark or obtain a legibly dated receipt from a commercial carrier or U.S. Postal Service. Private metered postmarks shall not be acceptable as proof of timely mailing.)

Applicants received after the announced closing date will be held for consideration in the next funding cycle.

FORM TO BE USED FOR APPLICATION:

Applications will be accepted only if they are submitted on the form entitled "Application for the Indian Health

Service Loan Repayment Program," identified with the Office of Management and Budget approval number of OMB #0912-0014.

ADDRESSES: Application materials may be obtained by calling or writing to the address below. In addition, completed applications should be returned to: IHS Loan Repayment Program, 12300 Twinbrook Parkway—suite 100, Rockville, Maryland 20852, PH: 800/962-2817 (toll-free) or 301/443-6197 (between 8 a.m. and 5 p.m. (EST) Monday through Friday, except Federal holidays).

FOR FURTHER INFORMATION CONTACT: Please address inquiries to Mr. Charles Yepa, LRP Coordinator, IHS Loan Repayment Program, Twinbrook Metro Plaza—suite 100, 12300 Twinbrook Parkway, Rockville, Maryland 20852, PH: 800/962-2817 (toll-free) or 301/443-6197 (between 8 a.m. and 5 p.m. (EST) Monday through Friday, except Federal holidays).

SUPPLEMENTARY INFORMATION: Section 108 of the Indian Health Care Improvement Act as amended by Public Law 100-713, enacted November 23, 1988, authorizes the IHS Loan Repayment Program and provides in pertinent part as follows:

The Secretary, acting through the Service, shall establish a program to be known as the Indian Health Service Loan Repayment Program (hereinafter referred to as the "Loan Repayment Program") in order to assure an adequate supply of trained physicians, dentists, nurses, nurse practitioners, physician assistants, clinical and counseling psychologists, graduates of schools of public health, graduates of schools of social work, and other health professionals necessary to maintain accreditation of, and provide health care service to Indians through Indian health programs.

This program is designed to address problems the IHS is facing with regard to staffing shortages. Only individuals who are or will be in full-time clinical practice in an Indian health program may participate in this program. For the purposes of this program, the term "Indian health program" is defined in section 108(a)(2)(A), as follows:

Any health program or facility funded, in whole or in part, by the IHS for the benefit of American Indians and Alaska Natives and administered:

- a. Directly by the service; or
- b. By any Indian tribe or tribal or Indian organization pursuant to a contract under:
 - (1) The Indian Self-Determination Act; or

(2) Section 23 of the Act of April 30, 1988, (25 U.S.C. 47), popularly known as the Buy Indian Act; or

(3) By an urban Indian organization pursuant to Title V of Public Law 100-713.

Applicants may sign contractual agreements with the Secretary for (2) or (3) years. The IHS will repay all or a portion of the applicant's health professions educational loans for tuition expenses and reasonable educational and living expenses in amounts up to \$25,000 per year for each year of contracted service.

Participants will be required to fulfill their contract service agreements through full-time clinical practice at a designated priority site. The IHS will designate these sites annually. In general, they are sites characterized by physical, cultural, and professional isolation, and have histories of frequent staff turnover. Sites may be located at IHS facilities or other Indian health program facilities as defined above.

A listing of the priority sites for each health profession will be found in the program application packet. Program participants may match to an appropriate priority site vacancy to complete their obligation.

Nurses, nurse practitioners, and the priority medical specialties all receive up to \$25,000 per year, regardless of their tier site or the length of their contract. Other health professionals will receive up to \$25,000 per year, if they serve at a Tier I site or sign a 3 year contract. Other health professionals who sign a 2 year contract and serve at a Tier II site receive up to \$20,000 per year. Other health professionals who sign a 2 year contract and serve at a Tier III site receive up to \$18,750 per year.

In addition to the above-mentioned payments, in any case where payments under the Loan Repayment Program result in an increase in Federal income tax liability, the IHS will pay up to 20 percent of the applicant's total eligible payment to the Internal Revenue Service on the applicant's behalf for all or part of the increased tax liability of the applicant.

Applicants must:

A. Meet one of the following requirements:

1. Be enrolled as a full-time student in the final year of a course of study or program leading to a degree in a health profession in an accredited school in a State. (The term "State" includes, in addition to the several States, only the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, the Federated States

of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau); or

2. Be enrolled in an approved graduate training program in a health profession; or

3. Have a degree in medicine, osteopathy, dentistry, or other health profession; and have completed an approved graduate training program in medicine, osteopathy, dentistry, or other health profession in a State, and have a license to practice medicine, osteopathy, dentistry, or other health profession in a State, except that the Secretary may waive the requirement of graduate training for good cause shown; and

B. Be eligible for, or hold an appointment as a Commissioned Officer in the Regular or Reserve Corps of the Public Health Service, or meet the professional standards for civil service employment in the IHS or be employed in an Indian health program without service obligation; and

C. Submit an application to participate in the Loan Repayment Program; and

D. Sign and submit to the Secretary, at the time of the submission of such application, a written contract agreeing to accept repayment of educational loans and to serve for the applicable period of obligated service in a priority site as determined by the Secretary; and

E. Sign an affidavit attesting to the fact that they have been informed of the relative merits of the U.S. Public Health Service Commissioned Corps and the Civil Service as employment options.

Upon approval of the applicant for participation in the Loan Repayment Program, his/her application will be referred to appropriate recruiters to facilitate the applicant's locating an acceptable position.

The IHS has developed lists of Tier sites, which include all Indian Health programs, as defined in section 108(a)(2)(A). These sites have been separated into three tiers as a means of defining their relative need and priority. The tiers have the following meanings:

Tier I: The most difficult to recruit for sites and specialties. The sites are characterized by geographic, professional and cultural isolation and rapid staff turnover. Positions in the priority medical specialties are designated as Tier I, irrespective of location.

Tier II: Somewhat less difficult to recruit for sites. The isolation and turnover factors less severe than for Tier I sites.

Tier III: All sites not designated as Tier I or Tier II.

Funds will be available for both practicing physicians and medical

residents. Medical residents, physicians, and other health professionals are subject to the following priorities.

Within each of the following priorities, after positions are ranked in each Indian Health Program for which there is a need or vacancy and those positions are ranked in order of priority, preference is given to American Indian and Alaska Native applicants and applicants recruited through the efforts of Indian tribes or tribal or Indian organizations.

- The first priority for funding is given to the physician practitioners/resident physicians of Priority Specialties who match to any tier site. Priority Specialties include: Anesthesiology, General Surgery, Otolaryngology/Otorhinolaryngology, Obstetrics/Gynecology, Ophthalmology, Orthopedic Surgery, Psychiatry and Radiology.

- After Priority Specialties are selected, physicians/resident physicians, nurses and other health professionals who match to tier I sites receive priority.

- Next in priority, after Priority Specialties and tier I physicians/resident physicians, nurses and other health professionals are selected, are physicians/resident physicians, nurses and other health professionals who agree to serve at tier II sites.

- Last in priority, after Priority Specialties and physicians, nurses and other health professionals who agree to serve at tier I and II sites, are physicians, nurses and other health professionals who agree to serve at tier III sites.

Other factors may be applied when determining which applicant is selected, within any of the above priorities applied to applicants. The following list of these factors are equal in weight when applied, and are applied when all other criteria are equal and a selection must be made between applicants. One or all of the following factors may be applicable to an applicant, and the applicant who has the most of these factors, all other criteria being equal, would be selected.

- An applicant's length of current employment in the IHS, tribal or urban program.

- An applicant's agreement to serve for 3 years under the IHS Loan Repayment Program contract, as opposed to 2 years.

- For physician applicants, board certification by the start of their service.

- An applicant who has been a former IHS, tribal or urban program employee, with experience in a tier I site.

- An applicant who has been a former National Health Service Corps (NHSC) or IHS Scholarship Program participant who has completed or will complete their service obligation with their respective agency before September 30 or the applicable fiscal year; and who has experience in an IHS, tribal or urban site.

- An applicant's experience in a post-residence practice in a primary care Health Professional Shortage Area (HPSA) or Health Professional Shortage Area Placement Opportunity List (HPOL) site.

- Availability for service earlier than other applicants (first come, first served); and

- The quality of references from persons having direct knowledge of the applicant's professional capability.

Any individual who enters this program and satisfactorily completes his/her obligated period of service may, if funds are available, apply to extend the contract on a year-by-year or multi-year basis, as determined by the IHS, at the up to \$25,000 per year rate. The maximum amount to be funded in this manner may not exceed the total of the individual's outstanding qualified educational loans.

Any individual who owes an obligation for health professional service to the Federal Government or to a State or other entity under an agreement with such State or other entity is not eligible for the Loan Repayment Program unless such an obligation will be completely satisfied prior to the beginning of service under this program in the year that an application is made for this program.

This program is not subject to review under Executive Order 12372.

The Catalog of Federal Domestic Assistance number is 13.164.

Dated: November 26, 1991.

Everett R. Rhoades,
Assistant Surgeon General, Director.
[FR Doc. 92-4012 Filed 2-20-92; 8:45 am]
BILLING CODE 4160-16-M

National Institutes of Health

National Heart, Lung, and Blood Institute; Cancellation of Meeting

Notice is hereby given of the cancellation of the meeting of the Blood Diseases and Resources Advisory Committee, National Heart, Lung, and Blood Institute, February 27-28, 1992, Building 31C, Conference Room 10, National Institutes of Health, 9000 Rockville Pike, Bethesda, Maryland 20814, which was published in the

Federal Register on December 23, 1991, (56 FR 66449).

Dated: February 12, 1992.

Susan K. Feldman,
Committee Management Officer, NIH.
[FR Doc. 92-3998 Filed 2-20-92; 8:45 am]
BILLING CODE 4140-01-M

Public Health Service

National Toxicology Program; Availability of the Sixth Annual Report on Carcinogens

The HHS' National Toxicology Program (NTP) today announces the availability of the Sixth Annual Report on Carcinogens.

The Annual Report on Carcinogens, prepared by the National Toxicology Program (NTP), U.S. Public Health Service, is issued by the Secretary of the Department of Health and Human Service (DHHS) pursuant to an amendment to the Public Health Service Act (section 262, Pub. L. 95-622) which requires the Secretary to publish an annual report that contains "a list of all substances (i) which either are known to be carcinogens or which may reasonably be anticipated to be carcinogens and (ii) to which a significant number of persons residing in the United States are exposed * * *." The law also states that the reports should provide available information on the nature of exposures, the estimated numbers of persons exposed, and the extent to which the implementation of Federal regulations decreases the risk to public health from exposure to these chemicals.

For the purposes of the Report, "known" carcinogens are defined as those substances for which the evidence from human studies indicates that there is causal relationship between exposure to the substance and human cancer. Substances "which may reasonably be anticipated to be carcinogens" are defined as those for which there is limited evidence of carcinogenicity in humans or sufficient evidence of carcinogenicity in experimental animals.

Substances in the above categories, for which potential exposure of persons residing in the United States has been demonstrated, are included in the Report. The Sixth Annual Report does not contain all known carcinogens or substances reasonably anticipated to be carcinogens. Additional substances with identified carcinogenic properties as defined above will be included in subsequent Annual Reports.

New entries in the Sixth Annual Report were chosen from those designated by the agencies participating

in the preparation of the Report, from those tested within the National Toxicology Program and the National Cancer Institute Carcinogenesis Bioassay Program, or from those evaluated by the International Agency for Research on Cancer (IARC), a component of the World Health Organization (WHO), located in Lyon, France.

The Sixth Annual Report on Carcinogens Summary does not contain specific information on regulations promulgated by regulatory health agencies. In most other respects, the information is the same as that in the full report. Copies will be sent automatically to those on the mailing list; others may request a single copy without charge by writing the NTP Public Information Office, MD B-2-04, P.O. Box 12233, Research Triangle Park, NC 27709.

Copies of the complete Report are available from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161. There is a \$94.00 charge for the document plus a \$3.00 per order shipping and handling charge. Ask for Report No. PB 92-120666 when ordering.

Comments on the Sixth Annual Report on Carcinogens are welcome. Corrections, suggestions, or any additional information should be addressed to Annual Reports on Carcinogens, NTP Public Information Office, MD B2-04, P.O. Box 12233, Research Triangle Park, NC 27709.

Dated: February 13, 1992.

Kenneth Olden,
Director, National Toxicology Program.
[FR Doc. 92-3999 Filed 2-20-92; 8:45 am]
BILLING CODE 4140-01-M

Social Security Administration

Agency Forms Submitted to the Office of Management and Budget for Clearance

Each Friday the Social Security Administration publishes a list of information collection packages that have been submitted to the Office of Management and Budget (OMB) for clearance in compliance with Public Law 96-511, The Paperwork Reduction Act. The following clearance packages have been submitted to OMB since the last list was published in the **Federal Register** on February 7, 1992.

(Call Reports Clearance Officer on (301) 965-4149 for copies of package)

1. Authorization For The Social Security Administration To Obtain Account Records From A Financial

Institution—0960-0293. The information collected on the form SSA-4641 is used to determine whether an applicant for supplemental security income (SSI) payments meets the resources eligibility requirement. The respondents are certain applicants for SSI payments.

Number of Respondents: 500,000.

Frequency of Response: 1.

Average Burden Per Response: 6 minutes.

Estimated Annual Burden: 50,000 hours.

2. Requests for Self-Employment Information, Employment Information and Employer Information—0960-XXXX. The information collected on the forms SSA-2765, SSA-3365 and SSA-4002 will be used to identify wages or income incorrectly reported. The respondents are certain employees, employers and self-employed individuals.

Number of Respondents: 3,000,000.

Frequency of Response: 1.

Average Burden Per Response: 10 minutes.

Estimated Annual Burden: 500,000 hours.

3. Disability Hearing Officer's Decision—0960-0441. The form SSA-1207 is used as an official document to record disability hearings officers decisions. The respondents are disability hearings officers in the State Disability Determination Services.

Number of Respondents: 10,854.

Frequency of Response: 1.

Average Burden Per Response: 45 minutes.

Estimated Annual Burden: 8,141 hours.

4. Statement of Household Expenses And Contributions—0960-0456. The information collected on the form SSA-8011 is used to determine the amount of in-kind support and maintenance received by an applicant for or recipient of supplemental security income (SSI) and to establish eligibility and payment amounts. The respondents are members of an SSI applicant's recipient's household.

Number of Respondents: 872,875.

Frequency of Response: 1.

Average Burden Per Response: 15 minutes.

Estimated Annual Burden: 218,219.

OMB Desk Officer: Laura Oliven.

Written comments and recommendations regarding these information collections should be sent directly to the appropriate OMB Desk Officer designated above at the following address: OMB Reports Management Branch, New Executive Office Building, room 3208, Washington, DC 20503.

Dated: February 12, 1992.

Ron Compston,
Social Security Administration Reports
Clearance Officer.
[FR Doc. 92-3921 Filed 2-20-92; 8:45 am]
BILLING CODE 4190-11-M

Statement of Organization, Functions and Delegations of Authority

Part S of the Statement of Organization, Functions and Delegations of Authority for the Department of Health and Human Services covers the Social Security Administration. Notice is hereby given that sections S5B.10, the Office of Legislation and Congressional Affairs (OLCA) (Organization), and S5B.20, OLCA (Functions), are amended to reflect the abolishment of the Office of Policy Development. Amend the material as follows:

Section S5B.10 *The Office of Legislation and Congressional Affairs—(Organization):*

Delete:

H. The Office of Policy Development (S5BG).

Section S5B.20 *The Office of Legislation and Congressional Affairs—(Functions):*

Delete:

H. The Office of Policy Development (S5BG) in its entirety.

Dated: February 10, 1992.

Ruth A. Pierce,
Deputy Commissioner for Human Resources.
[FR Doc. 92-4026 Filed 2-20-92; 8:45 am]
BILLING CODE 4190-29-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assistant Secretary for Community Planning and Development

[Docket No. N-92-1917; FR-2934-N-66]

Federal Property Suitable as Facilities To Assist the Homeless

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Notice.

SUMMARY: This Notice identifies unutilized, underutilized, excess, and surplus Federal property reviewed by HUD for suitability for possible use to assist the homeless.

ADDRESSES: For further information, contact James N. Forsberg, room 7262, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, DC 20410; telephone (202)

708-4300; TDD number for the hearing- and speech-impaired (202) 708-2565 (these telephone numbers are not toll-free), or call the toll-free Title V information line at 1-800-927-7588.

SUPPLEMENTARY INFORMATION: In accordance 56 FR 23789 (May 24, 1991) and section 501 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411), as amended, HUD is publishing this Notice to identify Federal buildings and other real property that HUD has reviewed for suitability for use to assist the homeless. The properties were reviewed using information provided to HUD by Federal landholding agencies regarding unutilized and underutilized buildings and real property controlled by such agencies or by GSA regarding its inventory of excess or surplus Federal property. This Notice is also published in order to comply with the December 12, 1988 Court Order in *National Coalition for the Homeless v. Veterans Administration*, No. 88-2503-OG (D.D.C.).

Properties reviewed are listed in this Notice according to the following categories: Suitable/available, suitable/unavailable, suitable/to be excess, and unsuitable. The properties listed in the three suitable categories have been reviewed by the landholding agencies, and each agency has transmitted to HUD: (1) Its intention to make the property available for use to assist the homeless, (2) its intention to declare the property excess to the agency's needs, or (3) a statement of the reasons that the property cannot be declared excess or made available for use as facilities to assist the homeless.

Properties listed as suitable/available will be available exclusively for homeless use for a period of 60 days from the date of this Notice. Homeless assistance providers interested in any such property should send a written expression of interest to HHS, addressed to Judy Breitman, Division of Health Facilities Planning, U.S. Public Health Service, HHS, room 17A-10, 5600 Fishers Lane, Rockville, MD 20857; (301) 443-2265. (This is not toll-free number.) HHS will mail to the interested provider an application packet, which will include instructions for completing the application. In order to maximize the opportunity to utilize a suitable property, providers should submit their written expressions of interest as soon as possible. For complete details concerning the processing of applications, the reader is encouraged to refer to the interim rule governing this program, 56 FR 23789 (May 24, 1991).

For properties listed as suitable/to be excess, that property may, if subsequently accepted as excess by CSA, be made available for use by the homeless in accordance with applicable law, subject to screening for other Federal use. At the appropriate time, HUD will publish the property in a Notice showing it as either suitable/available or suitable/unavailable.

For properties listed as suitable/unavailable, the landholding agency has decided that the property cannot be declared excess or made available for use to assist the homeless, and the property will not be available.

Properties listed as unsuitable will not be made available for any other purpose for 20 days from the date of this Notice. Homeless assistance providers interested in a review by HUD of the determination of unsuitability should call the toll free information line at 1-800-927-7588 for detailed instructions or write a letter to James N. Forsberg at the address listed at the beginning of this Notice. Included in the request for review should be the property address (including zip code), the date of publication in the *Federal Register*, the landholding agency, and the property number.

For more information regarding particular properties identified in this Notice (i.e., acreage, floor plan, existing sanitary facilities, exact street address), providers should contact the appropriate landholding agencies at the following addresses: U.S. Air Force: Bob Menke, USAF, Bolling AFB, SAF-MIIR, Washington, DC 20332-5000; (202) 767-6235; (This is not a toll-free number).

Dated: February 13, 1992.

Paul Roitman Bardack,

Deputy Assistant Secretary for Economic Development.

TITLE V, FEDERAL SURPLUS PROPERTY PROGRAM FEDERAL REGISTER REPORT FOR 02/21/92

Suitable/Available Properties

Buildings (by State)

California

Hawes Site (KHGM)

March AFB

Hinckley Co: San Bernardino CA 92402-

Landholding Agency: Air Force

Property Number: 189010084

Status: Unutilized

Comment: 9290 sq. ft., 2 story concrete, most recent use—radio relay station, possible asbestos, land belongs to Bureau of Land Management, potential utilities.

Bldgs. 604, 605, 612, 611, 613-616

Point Arena Air Force Station

Mendocino County, CA 95488-5000

Landholding Agency: Air Force

Property Numbers: 189010237-189010246

Status: Unutilized

Comment: 1232 sq. ft. each, stucco-wood frame; most recent use—housing.

Bldg. 21180

Vandenberg Air Force Base

Vandenberg AFB Co: Santa Barbara CA

93437

Location: Hwy 1, Hwy 246, Coast Rd., PT Sal Rd., Miguelito CYN

Landholding Agency: Air Force

Property Number: 189130384

Status: Unutilized

Comment: 7487 sq. ft., 1 story/wood shingle structure, most recent use—contracting administrative office, needs major rehab.

Guam

Anderson VOR

In the municipality of Dededo

Dededo Co: Guam GU 96912-

Location: Access is through Route 1 and Route 3, Marine Drive.

Landholding Agency: Air Force

Property Number: 189010267

Status: Unutilized

Comment: 550 sq. ft., 1 story perm/concrete; on 226 acres.

Anderson Radio Beacon Annex

In the municipality of Dededo

Dededo Co: Guam GU 96912-

Location: Approximately 7.2 miles southwest of Anderson AFB proper; access is from Route 3, Marine Drive.

Landholding Agency: Air Force

Property Number: 189010268

Status: Unutilized

Comment: 480 sq. ft., 1 story perm/concrete; on 25 acres; most recent use—radio beacon facility.

Annex No. 4

Anderson Family Housing

Municipality of Dededo

Dededo Co: Guam GU 96912-

Location: Access is through Route 1, Marine Drive.

Landholding Agency: Air Force

Property Number: 189010545

Status: Underutilized

Comment: various sq. ft.; 1 story frame/modified quonset; on 376 acres; portions of building and land leased to Government of Guam.

Harmon VORsite (Portion) (AJKZ)

Municipality of Dededo

Dededo Co: Guam GU 96912-

Location: Approx. 12 miles southwest of Anderson AFB proper.

Landholding Agency: Air Force

Property Number: 189120234

Status: Unutilized

Comment: 550 sq. ft.; needs rehab on 82 acres.

Idaho

Bldg. 121

Mountain Home Air Force Base

Main Avenue

Elmore County, ID 83648-

Landholding Agency: Air Force

Property Number: 189030007

Status: Excess

Comment: 3375 sq. ft.; 1 story wood frame; potential utilities; needs rehab; presence of asbestos; building is set on piers; most recent use—medical administration, veterinary services.

Louisiana

Barksdale Radio Beacon Annex

Barksdale Radio Beacon Annex

Curtis Co: Bossier LA 71111-

Location: 7 miles south of Bossier City on highway 71 south; left 1 1/4 miles on highway C1552.

Landholding Agency: Air Force

Property Number: 189010269

Status: Unutilized

Comment: 360 sq. ft.; 1 story wood/concrete; on 11.25 acres.

Michigan

Bldg. 21

Calumet Air Force Station

Calumet Co: Keweenaw MI 49913-

Landholding Agency: Air Force

Property Number: 189010776

Status: Excess

Comment: 2146 sq. ft.; 1 floor; concrete block; potential utilities; possible asbestos; most recent use—storage.

Bldg. 22

Calumet Air Force Station

Calumet Co: Keweenaw MI 49913-

Landholding Agency: Air Force

Property Number: 189010777

Status: Excess

Comment: 1546 sq. ft.; 1 floor; concrete block; potential utilities; possible asbestos; most recent use—administrative facility.

Bldg. 30

Calumet Air Force Station

Calumet Co: Keweenaw MI 49913-

Landholding Agency: Air Force

Property Number: 189010779

Status: Excess

Comment: 2593 sq. ft.; 1 floor; concrete block; possible asbestos; potential utilities; most recent use—communications transmitter building.

Bldg. 40

Calumet Air Force Station

Calumet Co: Keweenaw MI 49913-

Landholding Agency: Air Force

Property Number: 189010780

Status: Excess

Comment: 2069 sq. ft.; 2 floors; concrete block; possible asbestos; potential utilities; most recent use—administrative facility.

Bldg. 41

Calumet Air Force Station

Calumet Co: Keweenaw MI 49913-

Landholding Agency: Air Force

Property Number: 189010781

Status: Excess

Comment: 2069 sq. ft.; 1 floor; concrete block; potential utilities; possible asbestos; most recent use—dormitory.

Bldg. 42

Calumet Air Force Station

Calumet Co: Keweenaw MI 49913-

Landholding Agency: Air Force

Property Number: 189010782

Status: Excess

Comment: 4017 sq. ft.; 1 floor; concrete block; potential utilities; possible asbestos; most recent use—dining hall.

Bldg. 43

Calumet Air Force Station

Calumet Co: Keweenaw MI 49913-

Landholding Agency: Air Force

Property Number: 189010783

Status: Excess

Comment: 3674 sq. ft.; 2 story; concrete block; potential utilities; possible asbestos; most recent use—dormitory.

Bldg. 44

Calumet Air Force Station
Calumet Co: Keweenaw MI 49913—
Landholding Agency: Air Force
Property Number: 189010784

Status: Excess

Comment: 7216 sq. ft.; 2 story; concrete block; possible asbestos; potential utilities; most recent use—dormitory.

Bldg. 45

Calumet Air Force Station
Calumet Co: Keweenaw MI 49913—
Landholding Agency: Air Force
Property Number: 189010785

Status: Excess

Comment: 6070 sq. ft.; 2 story; concrete block; potential utilities; possible asbestos; most recent use—administrative facility.

Bldg. 46

Calumet Air Force Station
Calumet Co: Keweenaw MI 49913—
Landholding Agency: Air Force
Property Number: 189010786

Status: Excess

Comment: 5898 sq. ft.; 2 story; concrete block; potential utilities; possible asbestos; most recent use—visiting personnel housing.

Bldg. 47

Calumet Air Force Station
Calumet Co: Keweenaw MI 49913—
Landholding Agency: Air Force
Property Number: 189010787

Status: Excess

Comment: 83 sq. ft.; 1 story; concrete block; potential utilities; most recent use—storage.

Bldg. 48

Calumet Air Force Station
Calumet Co: Keweenaw MI 49913—
Landholding Agency: Air Force
Property Number: 189010788

Status: Excess

Comment: 96 sq. ft.; 1 story; concrete block; potential utilities; most recent use—storage.

Bldg. 49

Calumet Air Force Station
Calumet Co: Keweenaw MI 49913—
Landholding Agency: Air Force
Property Number: 189010789

Status: Excess

Comment: 1944 sq. ft.; 1 story; concrete block; potential utilities; most recent use—dormitory.

Bldg. 50

Calumet Air Force Station
Calumet Co: Keweenaw MI 49913—
Landholding Agency: Air Force
Property Number: 189010790

Status: Excess

Comment: 6171 sq. ft.; 1 story; concrete block; potential utilities; possible asbestos; most recent use—Fire Department vehicle parking building.

Bldgs. 51–62

Calumet Air Force Station
Calumet Co: Keweenaw MI 49913—
Landholding Agency: Air Force
Property Numbers: 189010791–189010802
Status: Excess

Comment: 1134 sq. ft. each; 1 story wood frame residence with garages; possible asbestos.

Bldgs. 63–67

Calumet Air Force Station
Calumet Co: Keweenaw MI 49913—
Landholding Agency: Air Force
Property Numbers: 189010803–189010807
Status: Excess

Comment: 1306 sq. ft. each; 1 story wood frame residence with garages; possible asbestos.

Bldg. 68

Calumet Air Force Station
Calumet Co: Keweenaw MI 49913—
Landholding Agency: Air Force
Property Number: 189010808
Status: Excess

Comment: 1478 sq. ft.; 1 story wood frame residence with garage; possible asbestos.

Bldg. 70

Calumet Air Force Station
Calumet Co: Keweenaw MI 49913—
Landholding Agency: Air Force
Property Number: 189010809
Status: Excess

Comment: 1394 sq. ft.; 1 story concrete block; possible asbestos; most recent use—youth center.

Bldgs. 72–89

Calumet Air Force Station
Calumet Co: Keweenaw MI 49913—
Landholding Agency: Air Force
Property Numbers: 189010811–189010828
Status: Excess

Comment: 1168 sq. ft. each; 1 story wood frame residence; potential utilities; possible asbestos.

Bldg. 97

Calumet Air Force Station
Calumet Co: Keweenaw MI 49913—
Landholding Agency: Air Force
Property Number: 189010829
Status: Excess

Comment: 171 sq. ft.; 1 floor; potential utilities; most recent use—pump house.

Bldg. 98

Calumet Air Force Station
Calumet Co: Keweenaw MI 49913—
Landholding Agency: Air Force
Property Number: 189010830
Status: Excess

Comment: 114 sq. ft.; 1 floor; potential utilities; most recent use—pump house.

Bldg. 14

Calumet Air Force Station
Calumet Co: Keweenaw MI 49913—
Landholding Agency: Air Force
Property Number: 189010833
Status: Excess

Comment: 6751 sq. ft.; 1 floor concrete block; possible asbestos; most recent use—gymnasium.

Bldg. 16

Calumet Air Force Station
Calumet Co: Keweenaw MI 49913—
Landholding Agency: Air Force
Property Number: 189010834
Status: Excess

Comment: 3000 sq. ft.; 1 floor concrete block; most recent use—commissary facility.

Bldgs. 9–13

Calumet Air Force Station
Calumet Co: Keweenaw MI 49913—

Landholding Agency: Air Force
Property Numbers: 189010835–189010839
Status: Excess

Comment: 1056 sq. ft. each; 1 story wood frame residences.

Bldgs. 5–8

Calumet Air Force Station
Calumet Co: Keweenaw MI 49913—
Landholding Agency: Air Force
Property Numbers: 189010840–189010843
Status: Excess

Comment: 664 sq. ft. each; 1 story wood frame residences; possible asbestos.

Bldg. 4

Calumet Air Force Station
Calumet Co: Keweenaw MI 49913—
Landholding Agency: Air Force
Property Number: 189010844
Status: Excess

Comment: 2340 sq. ft.; 1 floor concrete block; most recent use—heating facility.

Bldg. 3

Calumet Air Force Station
Calumet Co: Keweenaw MI 49913—
Landholding Agency: Air Force
Property Number: 189010845
Status: Excess

Comment: 5314 sq. ft.; 1 floor concrete block; possible asbestos; most recent use—maintenance shop and office.

Bldg. 1

Calumet Air Force Station
Calumet Co: Keweenaw MI 49913—
Landholding Agency: Air Force
Property Number: 189010846
Status: Excess

Comment: 4528 sq. ft.; 1 floor concrete block; possible asbestos; most recent use—office.

Bldgs. 216–224, 212, 214

Calumet Air Force Station
Calumet Co: Keweenaw MI 49913—
Landholding Agency: Air Force
Property Numbers: 189010847–189010855,
189010859, 189010861

Status: Excess

Comment: 780 sq. ft. each; 1 story wood frame housing garages.

Bldg. 215

Calumet Air Force Station
Calumet Co: Keweenaw MI 49913—
Landholding Agency: Air Force
Property Number: 189010856
Status: Excess

Comment: 390 sq. ft.; 1 story wood frame housing garage.

Bldg. 158

Calumet Air Force Station
Calumet Co: Keweenaw MI 49913—
Landholding Agency: Air Force
Property Number: 189010857
Status: Excess

Comment: 3603 sq. ft.; 1 story concrete/steel; possible asbestos; most recent use—electrical power station.

Bldg. 15

Calumet Air Force Station
Calumet Co: Keweenaw MI 49913—
Landholding Agency: Air Force
Property Number: 189010864
Status: Excess

Comment: 538 sq. ft.; 1 floor, concrete/wood structure; potential utilities; most recent use—gymnasium facility.

Bldg. 23
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913-
Landholding Agency: Air Force
Property Number: 189010865
Status: Excess
Comment: 44 sq. ft.; 1 story; metal frame;
prior use—storage of fire hoses.

Bldg. 24
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913-
Landholding Agency: Air Force
Property Number: 189010866
Status: Excess
Comment: 44 sq. ft.; 1 story; metal frame;
prior use—storage of fire hoses.

Bldgs. 31-35
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913-
Landholding Agency: Air Force
Property Numbers: 189010867-189010871
Status: Excess
Comment: 36 sq. ft.; 1 story; metal frame;
prior use—storage of fire hoses.

Bldgs. 36-37, 39, 201-207
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913-
Landholding Agency: Air Force
Property Numbers: 189010872-189010874,
189010879-189010885
Status: Excess
Comment: 25 sq. ft.; 1 story; metal frame;
prior use—storage of fire hoses.

Bldg. 153
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913-
Landholding Agency: Air Force
Property Number: 189010886
Status: Excess
Comment: 4314 sq. ft.; 2 story concrete block
facility; (radar tower bldg.) potential use—
storage.

Bldg. 154
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913-
Landholding Agency: Air Force
Property Number: 189010887
Status: Excess
Comment: 8960 sq. ft.; 4 story concrete block
facility; (radar tower bldg.) potential use—
storage.

Bldg. 157
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913-
Landholding Agency: Air Force
Property Number: 189010888
Status: Excess
Comment: 3744 sq. ft.; 1 story concrete/steel
facility; (radar tower bldg.); potential use—
storage.

North Dakota

Bldg. 101
Fortuna Air Force Station
Fortuna Co: Divide, ND 58844-
Location: Located on North Dakota State
Highway 5, 4 miles west of Fortuna and
approximately 80 miles north of Williston
via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110095
Status: Excess
Comment: 768 sq. ft.; 2 bedroom single family
housing unit; needs rehab; off-site use only.
Bldgs. 102-106

Fortuna Air Force Station
Fortuna Co: Divide, ND 58844-
Landholding Agency: Air Force
Property Numbers: 189110096-189110100
Status: Excess
Comment: 988 sq. ft. each; 3 bedroom single
family housing units; needs rehab; off-site
use only.

Bldgs. 107, 110-111
Fortuna Air Force Station
Fortuna Co: Divide ND 58844-
Landholding Agency: Air Force
Property Numbers: 189110101-189110103
Status: Excess
Comment: 768 sq. ft.; 2 bedroom single family
housing units; needs rehab; off-site use
only.

Bldgs. 112-116, 123-129
Fortuna Air Force Station
Fortuna Co: Divide ND 58844-
Landholding Agency: Air Force
Property Numbers: 189110104-189110108,
189110115-189110121
Status: Excess

Comment: 1510 sq. ft.; 3 bedroom single
family housing units with attached garage;
needs rehab; off-site use only.

Bldgs. 117, 119-122
Fortuna Air Force Station
Fortuna Co: Divide ND 58844-
Landholding Agency: Air Force
Property Numbers: 189110109, 189110111-
189110114
Status: Excess

Comment: 1595 sq. ft.; 3 bedroom single
family housing units with attached garages;
needs rehab; off-site use only.

Bldg. 118
Fortuna Air Force Station
Fortuna Co: Divide ND 58844-
Landholding Agency: Air Force
Property Number: 189110110
Status: Excess
Comment: 2295 sq. ft.; 4 bedroom single
family housing unit; needs rehab; off-site
use only.

Bldg. 141
Fortuna Air Force Station
Fortuna Co: Divide ND 58844-
Landholding Agency: Air Force
Property Number: 189110122
Status: Excess
Comment: 364 sq. ft.; 1 stall vehicle garage;
needs rehab; off-site use only.

Bldgs. 142-145
Fortuna Air Force Base
Fortuna Co: Divide ND 58844-
Landholding Agency: Air Force
Property Numbers: 189110123-189110126
Status: Excess
Comment: 624 sq. ft. each; 2 stall vehicle
garages; needs rehab; off-site use only.

Bldgs. 201-218
Fortuna Air Force Base
Fortuna Co: Divide ND 58844-
Landholding Agency: Air Force
Property Numbers: 189110127-189110144
Status: Excess
Comment: 1203 sq. ft. each; 3-bedroom single
family relocatable housing units; needs
rehab; off-site use only.

Bldgs. 221-229
Fortuna Air Force Base
Fortuna Co: Divide ND 58844-

Landholding Agency: Air Force
Property Numbers: 189110145-189110153
Status: Excess
Comment: 672 sq. ft. each; 2 stall vehicle
garages; needs rehab; off-site use only.

Nevada

Bldgs. 300-302
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018-
Landholding Agency: Air Force
Property Numbers: 189120001-189120003
Status: Unutilized
Comment: 1573 sq. ft. each, one story family,
easement restrictions, potential utilities,
off-site removal only.

Bldgs. 303-306
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018-
Landholding Agency: Air Force
Property Numbers: 189120004-189120007
Status: Unutilized
Comment: 2750 sq. ft. each, one story family
housing, easement restrictions, potential
utilities, off-site removal only.

Bldgs. 307-310, 318, 320-322
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018-
Landholding Agency: Air Force
Property Numbers: 189120008-189120011,
189120019, 189120021-189120023
Status: Unutilized
Comment: 2170 sq. ft. each, one story family
housing, easement restrictions, potential
utilities, off-site removal only.

Bldgs. 311-317, 319, 324-326
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018-
Landholding Agency: Air Force
Property Numbers: 189120012-189120020,
189120025-189120027
Status: Unutilized
Comment: 2424 sq. ft. each, one story family
housing, easement restrictions, potential
utilities, off-site removal only.

Bldg. 323
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018-
Landholding Agency: Air Force
Property Number: 189120024
Status: Unutilized
Comment: 1233 sq. ft., one story family
housing, easement restrictions, potential
utilities, off-site removal only.

Bldgs. 331-341, 343, 345-346, 348-353
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018-
Landholding Agency: Air Force
Property Numbers: 189120028-189120047
Status: Unutilized
Comment: 1170 sq. ft. each, one story family
housing, easement restrictions, potential
utilities, off-site removal only.

Bldg. 400
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018-
Landholding Agency: Air Force

Property Number: 189120048
Status: Unutilized
Comment: 2464 sq. ft., most recent use—maintenance shop, easement restrictions, potential utilities, off-site removal only.

Bldg. 402
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018—
Landholding Agency: Air Force
Property Number: 189120049
Status: Unutilized
Comment: 2570 sq. ft., one story, most recent use—Chapel, easement restrictions, potential utilities, off-site removal only.

Bldg. 404
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018—
Landholding Agency: Air Force
Property Number: 189120050
Status: Unutilized
Comment: 2376 sq. ft., most recent use—religious education facility, easement restrictions, potential utilities, off-site removal only.

Bldg. 406
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018—
Landholding Agency: Air Force
Property Number: 189120051
Status: Unutilized
Comment: 2605 sq. ft., one story, most recent use—child care facility, easement restrictions, potential utilities, off-site removal only.

Bldgs. 3027, 3029–3040
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018—
Landholding Agency: Air Force
Property Numbers: 189120052, 189120054–189120065
Status: Unutilized
Comment: 120 sq. ft. each, one story, most recent use—storage, easement restrictions, potential utilities, off-site removal only.

Bldg. 3028
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018—
Landholding Agency: Air Force
Property Number: 189120053
Status: Unutilized
Comment: 60 sq. ft., one story, most recent use—storage, easement restrictions, potential utilities, off-site removal only.

Land (by State)

California

60 ARG/DE
Travis ILS Outer Marker Annex
Rio-Dixon Road
Travis AFB, Co: Solano, CA 94535–5496
Location: State Highway 113
Landholding Agency: Air Force
Property Number: 189010189
Status: Excess.
Comment: .13 acres; most recent use—location for instrument landing systems equipment.

Guam

Annex 1

Andersen Communication
Dededo, Co: Guam, GU 96912—
Location: In the municipality of Dededo.
Landholding Agency: Air Force
Property Number: 189010427
Status: Underutilized.
Comment: 862 acres; subject to utilities easements.

Annex 2, (Partial)
Andersen Petroleum Storage
Dededo, Co: Guam, GU 96912—
Location: In the municipality of Dededo.
Landholding Agency: Air Force
Property Number: 189010428
Status: Underutilized.
Comment: 35 acres; subject to utilities easements.

Michigan

Calumet Air Force Station
Section 1, T57N, R31W
Houghton Township
Calumet, Co: Keweenaw, MI 49913—
Landholding Agency: Air Force
Property Number: 189010862
Status: Excess.
Comment: 34 acres; potential utilities.

Calumet Air Force Station
Section 31, T58N, R30W
Houghton Township
Calumet, Co: Keweenaw, MI 49913—
Landholding Agency: Air Force
Property Number: 189010863
Status: Excess.
Comment: 3.78 acres; potential utilities.

Suitable/Unavailable Properties

Buildings (by State)

California

Bldg. 540
Vandenberg Air Force Base
Off Coast Road
Vandenberg AFB, Co: Santa Barbara, CA 93437—
Location: Highway 1, Highway 246, Coast Road, Pt Sal Road, Miquelito Cyn.
Landholding Agency: Air Force
Property Number: 189010581
Status: Unutilized.
Comment: 384 sq. ft.; 1 story concrete/sheet metal; needs rehab; most recent use—locomotive maintenance/supply building; potential use—storage.

Florida

Bldg. 166, 168, 170, 172, 174, 176
Patrick Air Force Base
North Highway A1A
Cocoa Beach, Co: Brevard, FL 32925—
Landholding Agency: Air Force
Property Number: 189110154–189110159
Status: Unutilized.
Comment: 2100 sq. ft.; 1 story concrete block residence; needs major repair; presence of asbestos.

Bldgs. 12, 14, 16, 111, 113, 115, 117
Patrick Air Force Base
Patrick AFB, Co: Brevard, FL 32925—
Landholding Agency: Air Force
Property Numbers: 189140030–189140036
Status: Underutilized.
Comment: 2100 sq. ft. each; 1 story concrete block, needs rehab, presence of asbestos.

Illinois

Bldg. 1380
Chanute Air Force Base
Rantoul, Co: Champaign, IL 61868—
Landholding Agency: Air Force
Property Number: 189010232
Status: Unutilized.
Comment: 350 sq. ft.; one story wood frame; no utilities; structural deficiencies; used for training exercises (chemicals and explosives).

Bldg. 106
Chanute Air Force Base
Rantoul, Co: Champaign, IL 61868—
Landholding Agency: Air Force
Property Number: 189010255
Status: Unutilized.
Comment: 2360 sq. ft.; 2 story wood; possible asbestos; most recent use—jail.

Bldg. 1220
Chanute Air Force Base
Rantoul, Co: Champaign, IL 61868—
Landholding Agency: Air Force
Property Number: 189010259
Status: Unutilized.
Comment: 589 sq. ft.; 1 story concrete block; water pump house for swimming pool; potential utilities.

Bldg. 1221
Chanute Air Force Base
Rantoul, Co: Champaign, IL 61868—
Landholding Agency: Air Force
Property Number: 189010260
Status: Unutilized.
Comment: 2893 sq. ft.; 1 story concrete; bath house for swimming pool; limited utilities; possible asbestos.

Michigan

Bldg. 20
Calumet, Air Force Station
Calumet Co: Keweenaw, MI 49913—
Landholding Agency: Air Force
Property Number: 189010775
Status: Excess.
Comment: 13404 sq. ft.; 1 floor; concrete block; potential utilities; possible asbestos; most recent use—warehouse/supply facility.

Bldg. 28
Calumet, Air Force Station
Calumet Co: Keweenaw, MI 49913—
Landholding Agency: Air Force
Property Number: 189010778
Status: Excess.
Comment: 1000 sq. ft.; 1 floor; possible asbestos; potential utilities; most recent use—maintenance facility.

Missouri

Jefferson Barracks ANG Base
Missouri National Guard
1 Grant Road
St. Louis, Co: St. Louis, MO 63125–4118
Landholding Agency: Air Force
Property Number: 189010081
Status: Underutilized.
Comment: 20 acres; portion near flammable materials; portion on archaeological site; special fencing required.

New Mexico

Bldg. 13 1606 ABW/DE
Kirtland AFB

Wyoming Avenue
Kirtland, Co: Bernalillo, NM 87117-5496
Landholding Agency: Air Force
Property Number: 189010072
Status: Unutilized.
Comment: 520 sq. ft., 1 story portable building, off-site use only.

South Dakota

54 Bldgs.—Renel Heights
Ellsworth AFB, Co: Pennington, SD 57706—
Location: Across from main gate turn off.
Landholding Agency: Air Force
Property Numbers: 189010343-189010355,
189010386-189010426
Status: Unutilized.
Comment: 852 sq. ft. to 1652 sq. ft. each; 1 story concrete masonry block residences; secured area with alternate access; unstable foundation; utilities disconnected; possible asbestos.

124 Bldgs.—Skyway
Ellsworth AFB, Co: Pennington, SD 57706—
Location: Between main gate turn off and school gate.
Landholding Agency: Air Force
Property Numbers: 189010356-189010384,
189010760-189010774, 189010008-189030015,
189040003-189040026, 189110033-189110080
Status: Unutilized.
Comment: 481 sq. ft. to 1256 sq. ft. each, 1 and 2 story wood frame residences; structurally deteriorated; possible asbestos; secured area with alternate access; potential utilities.

Bldg. 1108, 1109, 1113, 1114
Ellsworth Air Force Base
Center Drive
Ellsworth AFB, Co: Pennington, SD 57706—
Landholding Agency: Air Force
Property Number: 189010439-189010442
Status: Unutilized.
Comment: 10303 sq. ft.; 2 story wood frame with basement; possible asbestos; secure facility with alternate access; potential utilities.

Texas

Facility 237—Carswell AFB
301 Roaring Springs Road
Fort Worth, Co: Tarrant, TX 76127—
Landholding Agency: Air Force
Property Number: 189120235
Status: Unutilized.
Comment: 1285 sq. ft., wood shingles, one story, most recent use—residential, needs rehab.

Bldg. 697
Brooks Air Force Base
San Antonio, Co: Bexar, TX 78235
Landholding Agency: Air Force
Property Number: 189110092
Status: Unutilized.
Comment: 770 sq. ft., possible asbestos, most recent use—supply store, needs rehab.

Bldg. 698
Brooks Air Force Base
San Antonio, Co: Bexar, TX 78235
Landholding Agency: Air Force
Property Number: 189110093
Status: Unutilized.
Comment: 5815 sq. ft., 1 story corrugated iron, possible asbestos, needs rehab, most recent use—recreation, workshop.

Bldg. 605

Brooks Air Force Base
San Antonio, Co: Bexar, TX 78235—
Landholding Agency: Air Force
Property Number: 189110090
Status: Unutilized.
Comment: 392 sq. ft.; 1 story sheet metal building; most recent use—storage; possible asbestos; needs rehab.

Bldg. 696
Brooks Air Force Base
San Antonio, Co: Bexar, TX 78235—
Landholding Agency: Air Force
Property Number: 189110091
Status: Unutilized.
Comment: 1344 sq. ft.; possible asbestos; most recent use—auto hobby shop; needs rehab.

Bldg. 699
Brooks Air Force Base
San Antonio, Co: Bexar, TX 78235—
Landholding Agency: Air Force
Property Number: 189110094
Status: Unutilized.
Comment: 2659 sq. ft.; 1 story; possible asbestos; most recent use—arts and crafts center.

Land (by State)
California
Norton Com. Facility Annex
Norton AFB
Sixth and Central Streets
Highland, Co: San Bernadino, CA 92409-5045
Landholding Agency: Air Force
Property Number: 189010194
Status: Excess.
Comment: 30.3 acres; most recent use—recreational area; portion subject to easements.

Camp Kohler Annex
McClellan AFB
Sacramento, Co: Sacramento, CA 95652-5000
Landholding Agency: Air Force
Property Number: 189010045
Status: Unutilized.
Comment: 35.30 acres + .11 acres easement; 30+ acres undeveloped; potential utilities; secured area; alternate access.

Florida
Eglin AFB
Mossy Head, Co: Walton, FL 32533—
Location: NW quadrant of Florida Highway 285 and I-10. Bounded on the North by Louisville RR near Mossy Head, Florida.

Landholding Agency: Air Force
Property Number: 189010134
Status: Excess.
Comment: 35 acres; Parcel 9; previous buffer zone; potential utilities.

Eglin AFB
Mossy Head, Co: Walton, FL 32533—
Location: Approximately 1 mile east of Florida Highway 285 and US Highway 90 on north side.

Landholding Agency: Air Force
Property Number: 189010136
Status: Excess.
Comment: 47 acres; Parcel 11; previous buffer zone; potential utilities.

Unsuitable Properties

Buildings (by State)

Alaska

Bldg. 203, 113
Tin City Air Force Station
21 CSG/DEER
Elmendorf AFB, Co: Anchorage, AK 99506-5000

Landholding Agency: Air Force
Property Number: 189010296-189010297
Status: Unutilized.

Reason:

Secured Area
Isolated area
Not accessible by road
Contamination

Bldg. 165, 150, 130
Sparrevohn Air Force Station
21 CSG/DEER
Elmendorf AFB, Co: Anchorage, AK 99506-5000

Landholding Agency: Air Force
Property Number: 189010298-189010300
Status: Unutilized.

Reason:

Secured Area
Isolated area
Not accessible by road
Contamination

Bldg. 306
King Salmon Airport
21 CSG/DEER
Elmendorf AFB, Co: Anchorage, AK 99506-5000

Landholding Agency: Air Force
Property Number: 189010301
Status: Unutilized.

Reason:

Secured Area
Isolated area
Not accessible by road
Contamination

Bldg. 1401
Galena Airport
21 CSG/DEER
Elmendorf AFB, Co: Anchorage, AK 99506-5000

Landholding Agency: Air Force
Property Number: 189010302
Status: Unutilized.

Reason:

Secured Area
Isolated area
Not accessible by road
Contamination

Bldg. 11-230, 21-116, 34-616, 43-010, 63-320, 63-325

Elmendorf Air Force Base
21 CSG/DEER
Elmendorf AFB, Co: Anchorage, AK 99506-5000

Landholding Agency: Air Force
Property Number: 189010303-189010308
Status: Unutilized.

Reason:

Secured Area
Isolated area

Not accessible by road
Contamination
Bldg. 103, 110, 112-115, 118, 1001, 1018, 1025, 1055
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB, Co: Anchorage, AK 99506-5000
Landholding Agency: Air Force
Property Number: 189010309-189010319
Status: Unutilized.
Reason:
Secured Area
Isolated area
Not accessible by road
Contamination
Bldg. 107, 115, 113, 150, 152, 301, 1001, 1003, 1055, 1056
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB, Co: Anchorage, AK 99506-5000
Landholding Agency: Air Force
Property Number: 189010320-189010329
Status: Unutilized.
Reason:
Secured Area
Isolated Area
Not accessible by road
Contamination
Bldg. 103-105, 110, 114, 202, 204-205, 1001, 1015
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB, Co: Anchorage, AK 99506-5000
Landholding Agency: Air Force
Property Number: 189010330-189010339
Status: Unutilized.
Reason:
Secured Area
Isolated area
Not accessible by road
Contamination
Bldg. 50
Cold Bay Air Force Station
21 CSG/DEER
Elmendorf AFB, Co: Anchorage, AK 99506-5000
Landholding Agency: Air Force
Property Number: 189010433
Status: Unutilized.
Reason:
Other
Isolated area
Not accessible by road
Comment: Isolated and remote; Arctic environment.

Alabama

28 Bldgs.
Maxwell AFB
Montgomery, Co: Montgomery, AL 36112-
Landholding Agency: Air Force
Property Number: 189010002-189010005, 189110165-189110167, 189120231-189120232, 189130335-189130336, 189130370-189130361, 189140010-189140014
Status: Unutilized.
Reason:
Secured Area
22 Bldgs.
Gunter AFB
Montgomery, Co: Montgomery, AL 36114-
Landholding Agency: Air Force

Property Number: 189010011-189010013, 189010015-189010016, 189010019-189010020, 189010022, 189040853-189040855, 189130349, 189140001-189140009, 189140021
Status: Underutilized.
Reason:
Secured Area
Bldg. 1435-1436, 1440-1441
Maxwell Air Force Base
Mimosa Road
Montgomery, Co: Montgomery, AL 36112-
Landholding Agency: Air Force
Property Number: 189030220-189030223
Status: Unutilized.
Reason:
Floodway
Secured Area
Bldg. 1004
Reserves Forces Training Facility
Maxwell Air Force Base
Montgomery, Co: Montgomery, AL 36112-
Location: 1004 Maxwell Blvd. & Kelly Street
Landholding Agency: Air Force
Property Number: 189130369
Status: Unutilized.
Reason:
Secured Area
Within airport runway clear zone

Arizona

Dormitory Building 632
Williams Air Force Base
Corner of 4th and D Street
Williams AFB, Co: Maricopa, AZ 85240-5000
Landholding Agency: Air Force
Property Number: 189040856
Status: Unutilized.
Reason:
Secured Area

California

Bldg. 4052
March AFB
Ice House in West March
Riverside, Co: Riverside, CA 92518-
Landholding Agency: Air Force
Property Number: 189010082
Status: Unutilized.
Reason:
Within airport runway clear zone
Bldg. 392 60 ABC/DE
Travis Air Force Base
Hospital Drive
Travis AFB, Co: Solano, CA 94535-5496
Landholding Agency: Air Force
Property Number: 189010187
Status: Underutilized.
Reason:
Within 2000 ft. of flammable or explosive material
Secured Area
Bldg. 1182 60 ABC/DE
Travis Air Force Base
Perimeter Road
Travis AFB, Co: Solano, CA 94535-5496
Landholding Agency: Air Force
Property Number: 189010188
Status: Unutilized.
Reason:
Within airport runway clear zone
Secured Area
Bldg. 152, 159, 344 60ABC/DE
Travis Air Force Base
Broadway Street
Travis AFB, Co: Solano, CA 94535-5496

Landholding Agency: Air Force
Property Number: 189010190-189010192
Status: Unutilized.
Reason:
Within 2000 ft. of flammable or explosive material
Secured Area
Bldg. 707, 502, 23 63 ABC/DE
Norton Air Force Base
Norton, Co: San Bernadino, CA 92409-5045
Landholding Agency: Air Force
Property Number: 189010193, 189010196-189010197
Status: Excess.
Reason:
Within 2000 ft. of flammable or explosive material
Secured Area
Bldg. 575 63 ABC/DE
Norton Air Force Base
Norton, Co: San Bernadino, CA 92409-5045
Landholding Agency: Air Force
Property Number: 189010195
Status: Excess.
Reason:
Within 2000 ft. of flammable or explosive material
Bldg. 100-101, 116, 202
Point Arena Air Force Station
Co: Mendocino, CA 95468-5000
Landholding Agency: Air Force
Property Number: 189010233-189010236
Status: Unutilized.
Reason:
Secured Area
Bldg. 201-204
Vandenberg Air Force Base
Point Arguello
Vandenberg AFB, Co: Santa Barbara, CA 93437-
Location: Highway 1, Highway 246, Coast Road, Pt Sal Road, Miguelito Cyn.
Landholding Agency: Air Force
Property Number: 189010546-189010549
Status: Unutilized.
Reason:
Secured Area
Bldg. 1001-1010, 1015, 1022-1024
Vandenberg Air Force Base
Off Tangair Road
Vandenberg AFB, Co: Santa Barbara, CA 93437-
Landholding Agency: Air Force
Property Number: 189010550-189010563
Status: Unutilized.
Reason:
Within 2000 ft. of flammable or explosive material
Secured Area
Bldg. 8008-8010
Vandenberg Air Force Base
Off California on Lompoc Avenue
Vandenberg AFB, Co: Santa Barbara, CA 93437-
Landholding Agency: Air Force
Property Number: 189010564-189010566
Status: Unutilized.
Reason:
Secured Area
Bldgs. 1100-1101, 1103-1107, 1110, 1108
Vandenberg Air Force Base
Off Terra Road
Vandenberg AFB, Co: Santa Barbara, CA 93437-

Landholding Agency: Air Force
Property Number: 189010567-189010574,
189010579-189010580
Status: Unutilized.

Reason:
Within 2000 ft. of flammable or explosive
material

Secured Area
Bldg. 13423-13424, 13511-13512
Vandenberg Air Force Base
K Street off Kansas
Vandenberg AFB, Co: Santa Barbara, CA
93437-

Landholding Agency: Air Force
Property Number: 189010575-189010578
Status: Unutilized.

Reason:
Secured Area

Bldg. 23102
Vandenberg Air Force Base
Vandenberg AFB, Co: Santa Barbara, CA
93437-

Location: Highway 1 and Highway 246; Coast
Road, Pt. Sal Rd; Miguelito Cyn

Landholding Agency: Air Force
Property Number: 189110082
Status: Unutilized.

Reason:
Secured Area
Bldg. 1011-1014, 1016-1021, 1823
Vandenberg Air Force Base
Vandenberg AFB, Co: Santa Barbara, CA
93437-

Location: Hwy 1, Hwy 246, Coast Road, PT
Sal Rd., Miguelito CYN

Landholding Agency: Air Force
Property Number: 189130350-189130360
Status: Unutilized.

Reason:
Secured Area
Within 2000 ft. of flammable or explosive
material

Bldg. 5015
Vandenberg Air Force Base
Vandenberg AFB, Co: Santa Barbara, CA
93437-

Location: Hwy 1, Hwy 246, Coast Road, PT
Sal Rd., Miguelito CYN

Landholding Agency: Air Force
Property Number: 189130361
Status: Excess.

Reason:
Secured Area
Within 2000 ft. of flammable or explosive
material
Within airport runway clear zone

Bldgs. 8006, 5001, 8011, 11443, 1011-1014,
1016-1021, 1027, 1031, 8105, 8111, 8118-8119,
8140-8141, 9341, 10312, 10314, 10503

Vandenberg Air Force Base
Vandenberg AFB, Co: Santa Barbara, CA
93437-

Location: Hwy 1, Hwy 246, Coast Road, PT
Sal Rd., Miguelito CYN

Landholding Agency: Air Force
Property Number: 189130362, 189140025,
189140028-189140029, 189210007-189210028
Status: Unutilized.

Reason:
Secured Area

Bldg. 10748
Vandenberg Air Force Base
Vandenberg AFB, Co: Santa Barbara, CA
93437-
Landholding Agency: Air Force

Property Number: 189210029
Status: Unutilized.
Reason:
Other
Comment: Extensive deterioration.

Colorado

Bldg. 24
Buckley Air Nat'l Guard Base
Aurora, Co: Arapahoe, CO 80011-9599

Location: Demolished 7 Dec. 90.

Landholding Agency: Air Force
Property Number: 1890101249
Status: Unutilized.

Reason:
Secured Area

Bldg. 291
Lowry Air Force Base
Denver, Co: Denver, CO 80230-5000
Location: South of 6th Avenue and east of
Rosemary Court.

Landholding Agency: Air Force
Property Number: 189010250
Status: Excess.

Reason:
Secured Area

Delaware

Bldg. 1310, 230
Dover Air Force Base
436 ABG/DE
Dover AFB, Co: Kent, DE 19902-
Landholding Agency: Air Force
Property Number: 189010727, 189140017
Status: Unutilized.

Reason:
Secured Area

Bldg. 1900, 1304
436 CSG Dover AFB
Dover, Co: Kent, DE 19902-5516
Landholding Agency: Air Force
Property Number: 189120230, 189140018
Status: Unutilized.

Reason:
Within airport runway clear zone
Secured Area

Florida

Bldgs. 42, 6058-6059
Eglin Air Force Base
Eglin AFB, Co: Okaloosa, FL 32542-5000
Landholding Agency: Air Force
Property Number: 189110001-189110003
Status: Unutilized.

Reason:
Secured Area

Bldg. 8501, 8505, 8507
Eglin Air Force Base
Site A-5
Eglin AFB, Co: Okaloosa, FL 32542-5000
Landholding Agency: Air Force
Property Number: 189110005-189110006,
189110008

Status: Unutilized.

Reason:
Floodway
Secured Area

Bldg. 578
Patrick Air Force Base
6th Street and South Patrick Drive
Cocoa Beach, Co: Brevard, FL 32925-
Landholding Agency: Air Force
Property Number: 189110160
Status: Unutilized.

Reason:
Floodway

Bldg. 1635
Patrick Air Force Base
River Picnic Area/Skeet Range
Cocoa Beach, Co: Brevard, FL 32925-
Landholding Agency: Air Force
Property Number: 189110161
Status: Unutilized.

Reason:
Secured Area

Bldg. 902
Tyndall Air Force Base
Panama City, Co: Bay, FL 32403-5000
Landholding Agency: Air Force
Property Number: 189130348
Status: Underutilized.

Reason:
Secured Area

Bldg. 566, 568-569, 571-572, 574
Patrick Air Force Base
Cocoa Beach, Co: Brevard, FL 32925-
Location: A Street
Landholding Agency: Air Force
Property Number: 189130363-189130368
Status: Excess.

Reason:
Secured Area
Within airport runway clear zone

Idaho

Bldgs. 1012, 923, 604
Mountain Home Air Force Base
Co: Elmore, ID 83648-
Landholding Agency: Air Force
Property Number: 189030004-189030008
Status: Excess.

Reason:
Within 2000 ft. of flammable or explosive
material

Bldg. 229
Mt. Home Air Force Base
1st Avenue and A Street
Mt. Home AFB, Co: Elmore, ID 83648-
Landholding Agency: Air Force
Property Number: 189040857
Status: Unutilized.

Reason:
Within 2000 ft. of flammable or explosive
material
Within airport runway clear zone

Illinois

Bldg. 550
Chanute Air Force Base
Rantoul Co: Champaign IL 61868-
Landholding Agency: Air Force
Property Number: 189010227
Status: Unutilized.
Reason: Other environmental.
Comment: Water treatment sewage building.

Bldgs. 551-552
Chanute Air Force Base
Rantoul Co: Champaign IL 61868-
Landholding Agency: Air Force
Property Numbers: 189010228-189010229
Status: Unutilized.

Reason: Other environmental.
Comment: Waste treatment plant.

Bldg. 558
Chanute Air Force Base
Rantoul Co: Champaign IL 61868-
Landholding Agency: Air Force
Property Number: 189010230
Status: Unutilized.
Reason: Other environmental.

Comment: Sewage treatment building with pumps.

Bldg. 964

Chanute Air Force Base

Rantoul Co: Champaign IL 61868-

Landholding Agency: Air Force

Property Number: 189010231

Status: Unutilized.

Reason: Other environmental.

Comment: Waste treatment pump station.

Bldg. 3191

Scott Air Force Base

East Drive 375/ABC/DE

Scott AFB Co: St. Clair IL 62225-5001

Landholding Agency: Air Force

Property Number: 189010247

Status: Unutilized.

Reason:

Within airport runway clear zone.

Secured Area.

Bldgs. 3670, 503, 351, 869, 1401-1410, 865

Scott Air Force Base

Scott AFB Co: St. Clair IL 62225-5001

Landholding Agency: Air Force

Property Numbers: 189010248, 189010725,

189110086-189110087, 189130337-189130347

Status: Unutilized.

Reason: Secured Area.

Indiana

Bldgs. 520, 309, 301

Grissom Air Force Base

Grissom Co: Miami IN 46971-

Landholding Agency: Air Force

Property Numbers: 189010183-189010184,

189010186

Status: Underutilized.

Reason: Secured Area.

Bldgs. 219, 307

Grissom Air Force Base

Grissom AFB Co: Miami IN 46971-5000

Landholding Agency: Air Force

Property Numbers: 189110084-189110085

Status: Underutilized.

Reason:

Within 2000 ft. of flammable or explosive material.

Secured Area.

Bldg. 707

Parallel to NE-SW runway & alternate runway

Grissom AFB Co: Miami IN 46971-

Landholding Agency: Air Force

Property Number: 189130334

Status: Unutilized.

Reason:

Within airport runway clear zone.

Secured Area.

Louisiana

Bldg. 3477

Barksdale Air Force Base

Davis Avenue

Barksdale AFB Co: Bossier LA 71110-5000

Landholding Agency: Air Force

Property Number: 189140015

Status: Unutilized.

Reason: Secured Area.

Massachusetts

Bldgs. 1900, 1833

Westover Air Force Base

Chicopee Co: Hampden MA 01022-

Landholding Agency: Air Force

Property Numbers: 189010438, 189040002

Status: Unutilized.

Reason: Secured Area.

Maryland

Bldgs. 4-5

Brandywine Storage Annex

1776 ABW/DE Brandywine Road, Route 381

Andrews AFB Co: Prince Georges MD 20613-

Landholding Agency: Air Force

Property Numbers: 189010261, 189010264

Status: Unutilized.

Reason: Secured Area.

Bldg. 3427

Andrews Air Force Base

3427 Pennsylvania Avenue

Andrews AFB Co: Prince George's MD 20335-

Landholding Agency: Air Force

Property Number: 189140016

Status: Unutilized.

Reason: Secured Area.

Maine

Bldg. 5200, 6200, 6100

Loring Air Force Base

Limestone Co: Aroostook ME 04750-

Landholding Agency: Air Force

Property Number: 189010541-189010543

Status: Unutilized.

Reason: Secured Area.

Michigan

Bldg. 560, 5658, 580, 856, 1005, 1012, 1041, 1412,

1434, 1688, 1689, 5670

Selfridge Air National Guard Base

Selfridge Co: Macomb MI 48045-

Landholding Agency: Air Force

Property Number: 189010522-189010533

Status: Unutilized.

Reason: Secured Area.

Bldg. 71

Calumet Air Force Station

Calumet Co: Keweenaw MI 49913-

Landholding Agency: Air Force

Property Number: 189010810

Status: Excess.

Reason: Other.

Comment: Sewage treatment and disposal facility.

Bldg. 99-100

Calumet Air Force Station

Calumet Co: Keweenaw MI 49913-

Landholding Agency: Air Force

Property Number: 189010831-189010832

Status: Excess.

Reason: Other.

Comment: Water well.

Bldg. 118, 120, 168

Calumet Air Force Station

Calumet Co: Keweenaw MI 49913-

Landholding Agency: Air Force

Property Number: 189010875-189010876,

189010878

Status: Excess.

Reason: Other.

Comment: Gasoline Station.

Bldg. 166

Calumet Air Force Station

Calumet Co: Keweenaw MI 49913-

Landholding Agency: Air Force

Property Number: 189010877

Status: Excess.

Reason: Other.

Comment: Pump lift station.

Bldg. 69

Calumet Air Force Station

Calumet Co: Keweenaw MI 49913-

Landholding Agency: Air Force

Property Number: 189010889

Status: Excess.

Reason: Other.

Comment: Sewer pump facility.

Bldg. 2

Calumet Air Force Station

Calumet Co: Keweenaw MI 49913-

Landholding Agency: Air Force

Property Number: 189010890

Status: Excess.

Reason: Other.

Comment: Water pump station.

Missouri

Bldg. 42, 45-47, 61

Jefferson Barracks ANG Base

1 Grant Road, Missouri National Guard

St. Louis Co: St. Louis MO 63125-

Landholding Agency: Air Force

Property Number: 189010728, 189010728-

189010731

Status: Unutilized.

Reason: Secured Area.

Montana

Bldg. 140

Malmstrom AFB

Between Goddard Avenue & 2nd Street

Malmstrom Co: Cascade MT 59402-

Landholding Agency: Air Force

Property Number: 189010076

Status: Unutilized.

Reason:

Within 2000 ft. of flammable or explosive material.

Secured Area.

Other environmental.

Bldg. 280

Malmstrom AFB

Flightline & Avenue G

Malmstrom Co: Cascade MT 59402-

Landholding Agency: Air Force

Property Number: 189010077

Status: Underutilized.

Reason:

Within 2000 ft. of flammable or explosive material.

Within airport runway clear zone.

Secured Area.

Other environmental.

Bldg. 621

Malmstrom AFB

1st Street & Avenue I

Malmstrom Co: Cascade MT 59402-

Landholding Agency: Air Force

Property Number: 189010078

Status: Unutilized.

Reason:

Other environmental

Secured Area.

Comment: Friable asbestos.

Bldg. 1500, 1502

Malmstrom AFB

Perimeter Road

Malmstrom Co: Cascade MT 59402-

Landholding Agency: Air Force

Property Number: 189010079-189010080

Status: Unutilized.

Reason:

Within 2000 ft. of flammable or explosive material.

Secured Area.

Other environmental.

Bldg. 627, 677
Malmstrom Air Force Base
Great Falls Co: Cascade MT 59402-
Landholding Agency: Air Force
Property Number: 189010722-189010723
Status: Unutilized.
Reason:
Secured Area.
Other environmental.

Bldg. 1991
Malmstrom Air Force Base
Between Avenue G and H
Malmstrom Co: Cascade MT 59405-
Landholding Agency: Air Force
Property Number: 189040057
Status: Underutilized.
Reason:
Secured Area.
Other environmental.

Nebraska

Offutt Communications Annex-#3
Offutt Air Force Base
Scribner Co: Dodge NE 68031-
Landholding Agency: Air Force
Status: Unutilized.
Reason: Other.
Comment: former sewage lagoon.

North Carolina

Bldg. 187
Pope Air Force Base
317 CSG/DE Reilly Road
Pope AFB Co: Cumberland NC 28308-5045
Landholding Agency: Air Force
Property Number: 189012022
Status: Unutilized.
Reason: Secured Area.
Bldg. 4230—Youth Center
Cannon Ave.
Goldsboro Co: Wayne NC 27531-5005
Landholding Agency: Air Force
Property Number: 189120233
Status: Underutilized.
Reason: Secured Area.
Bldg. N. 459
Pope Air Force Base
Armistead Street
Pope AFB Co: Cumberland NC 28308-5045
Landholding Agency: Air Force
Property Number: 189140019
Status: Unutilized.
Reason: Secured Area.

North Dakota

Bldg. 422
Minot Air Force Base
Minot Co: Ward ND 58705-
Landholding Agency: Air Force
Property Number: 189010724
Status: Underutilized.
Reason: Secured Area.

New Hampshire

Bldg. 132, 317, 343, 439
Pease Air Force Base
Pease AFB Co: Rockingham NH 03803-
Landholding Agency: Air Force
Property Number: 189010536-189010539
Status: Excess.
Reason: Within 2000 ft. of flammable or explosive material.

New Mexico

Bldg. 20330
Kirtland Air Force Base

1606 ABW/DEEVR
Kirtland AFB Co: Bernalillo NM 87117-5496
Landholding Agency: Air Force
Property Number: 189110083
Status: Unutilized.
Reason: Secured Area.

Bldg. 831
833 CSC/DEER
Holloman AFB Co: Otero NM 88330-
Landholding Agency: Air Force
Property Number: 189130333
Status: Unutilized.
Reason: Secured Area.
Bldg. 48013
Kirtland Air Force Base
Kirtland AFB Co: Bernalillo NM 87117-5496
Landholding Agency: Air Force
Property Number: 189140020
Status: Unutilized.
Reason: Secured Area.

New York

Bldg. 626 (Pin: RVKQ)
Niagara Falls International Airport
914th Tactical Airlift Group
Niagara Falls Co: Niagara NY 14303-5000
Landholding Agency: Air Force
Property Number: 189010075
Status: Unutilized.
Reason:

Within 2000 ft. of flammable or explosive material.

Secured Area.

Bldgs. 272, 888
Griffiss Air Force Base
Rome Co: Oneida NY 13441-
Landholding Agency: Air Force
Property Number: 189140022-189140023
Status: Excess.
Reason: Secured Area.

Ohio

Facility 30205
Wright-Patterson Air Force Base
Greene Co: Greene OH 45433-
Landholding Agency: Air Force
Property Number: 189010434
Status: Unutilized.
Reason: Secured Area.
910 TAG
Base Sewage Treatment Plant
Vienna Co: Trumbull OH 44473-5000
Location: West of the 910 TAG Base on Ridge Road, Youngstown Municipal Airport
Landholding Agency: Air Force
Property Number: 189110081
Status: Excess.
Reason: Other.
Comment: Sewage treatment plant.

Oklahoma

Bldg. 604
Vance Air Force Base
Enid Co: Carfield OK 73705-5000
Landholding Agency: Air Force
Property Number: 189010204
Status: Unutilized.
Reason:
Secured Area.
Within 2,000 ft. of flammable or explosive material.

Puerto Rico

Bldg. 10
Punta Salinas Radar Site
Toa Baja Co: Toa Baja PR 00759-

Landholding Agency: Air Force
Property Number: 189010544
Status: Underutilized.
Reason: Secured Area.

South Dakota

176 Bldgs., Renel Heights
Ellsworth Air Force Base
Ellsworth AFB Co: Pennington SD 57706-
Location: Across from main gate turn off.
Landholding Agency: Air Force
Property Number: 189010443-189010521,
189010732-189010759, 189030016-189030032,
189040027-189040055, 189040058,
189110011-189110032
Status: Unutilized.
Reason: Other.
Comment: Earth movement/shifting, cracked exterior and interior walls with separations several inches wide; earth shift severed sewer lines.

101 Bldgs., Skyway
Ellsworth Air Force Base
Ellsworth Co: Pennington SD 57706-
Landholding Agency: Air Force
Property Number: 189120066-189120166
Status: Unutilized.
Reason: Other.
Comment: Extensive deterioration.

220 Bldgs., Renel Heights
Ellsworth Air Force Base
Ellsworth Co: Pennington SD 57706-
Landholding Agency: Air Force
Property Number: 189120167-189120229,
189130001, 189130003-189130157, 189130382
Status: Unutilized.
Reason: Other.
Comment: Extensive deterioration.

175 Bldgs., Skyway
Ellsworth AFB Co: Pennington SD 57706-
Landholding Agency: Air Force
Property Number: 189130158-189130331,
189130383
Status: Unutilized.
Reason: Other.
Comment: Extensive deterioration.

Bldg. 8904
Maintenance Work Center Unit
204 Harrison Terrace
Ellsworth AFB Co: Pennington SD 57706-
Landholding Agency: Air Force
Property Number: 189130332
Status: Unutilized.
Reason: Other.
Comment: Extensive deterioration.

Bldgs. 88513, 88501
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706
Landholding Agency: Air Force
Property Number: 189210001-189210002
Status: Unutilized.
Reason: Extensive deterioration.

Texas

Bldg. 400
Laughlin Air Force Base
Val Verde Co. Co: Val Verde TX 78843-5000
Location: Six miles on Highway 90 east of Del Rio, Texas.
Landholding Agency: Air Force
Property Number: 189010173
Status: Unutilized.

Reason:

Within 2000 ft. of flammable or explosive material.

Within airport runway clear zone.

Bldg. 645

Reese Air Force Base

Lubbock Co: Lubbock TX 79489-

Location: West of Lubbock

Landholding Agency: Air Force

Property Number: 189010210

Status: Excess.

Reason: Secured Area.

174 Bldgs.

Carswell Air Force Base

Fort Worth Co: Tarrant TX 76114-

Landholding Agency: Air Force

Property Number: 189030043-189030142,

189030144-189030173, 189030175-189030218

Status: Unutilized.

Reason: Other.

Comment: Extensive deterioration.

Bldg. 02106

Reese Air Force Base

Lubbock Co: Lubbock TX

Landholding Agency: Air Force

Property Number: 189210005

Status: Unutilized.

Reason: Secured Area.

Utah**11 Bldgs.**

Hill Air Force Base

Co: Davis UT 84056-

Landholding Agency: Air Force

Property Number: 189010275, 189010277,

189010279, 189010281, 189010283, 189010285,

189010287, 189010289, 189010291, 189010293,

189010295.

Status: Unutilized.

Reason: Secured Area.

Bldg. 788-790

Hill Air Force Base

Co: Davis UT 84056-

Landholding Agency: Air Force

Property Number: 189040858-189040860

Status: Unutilized.

Reason:

Within airport runway clear zone.

Secured Area.

Washington**21 Bldgs.**

Fairchild AFB

Fairchild Co: Spokane WA 99011-

Landholding Agency: Air Force

Property Number: 189010139-189010159

Status: Unutilized.

Reason: Secured Area.

Bldg. 100, Geiger Heights

Grove and Hallet Streets

Fairchild AFB Co: Spokane WA 99204-

Landholding Agency: Air Force

Property Number: 189210004

Status: Unutilized.

Reason: Other.

Comment: Extensive deterioration.

Wyoming

Bldg. 31, 34, 37, 284, 385, 803

F. E. Warren Air Force Base

Cheyenne Co: Laramie WY 82005-

Landholding Agency: Air Force

Property Number: 189010198-189010203

Status: Unutilized.

Reason: Secured Area.

Land (by State)**Alaska**

Campion Air Force Station

21 CSG/DEER

Elmendorf AFB Co: Anchorage AK 99506-5000

Landholding Agency: Air Force

Property Number: 189010430

Status: Unutilized.

Reason:

Other.

Isolated area.

Not accessible by road.

Comment: isolated and remote area; Arctic environment.

Lake Louise Recreation

21 CSG-DEER

Elmendorf AFB Co: Anchorage AK 99506-5000

Landholding Agency: Air Force

Property Number: 189010431

Status: Unutilized.

Reason:

Other.

Isolated area.

Not accessible by road.

Comment: Isolated and remote area; Arctic coast.

Nikolski Radio Relay Site

21 CSG/DEER

Elmendorf AFB Co: Anchorage AK 99506-5000

Landholding Agency: Air Force

Property Number: 189010432

Status: Unutilized.

Reason:

Other.

Isolated area.

Not accessible by road.

Comment: Isolated and remote area; Arctic coast.

Florida**Land**

MacDill Air Force Base

6601 S. Manhattan Avenue

Tampa Co: Hillsborough FL 33608-

Landholding Agency: Air Force

Property Number: 189030003

Status: Excess.

Reason: Floodway.

Maryland**Land**

Brandywine Storage Annex

1776 ABW/DE Brandywine Road, Route 381

Andrews AFB Co: Prince Georges MD 20613-

Landholding Agency: Air Force

Property Number: 189010283

Status: Unutilized.

Reason: Secured Area.

South Dakota

Bandlands Bomb Rnage

60 miles southeast of Rapid City, SD

1 1/2 miles south of Highway 44

Co: Shannon SD

Landholding Agency: Air Force

Property Number: 189210003

Status: Utilized.

Reason: Secured Area.

Virginia

Parcel 1 (Byrd Field)

Richmond IAP

5680 Beulah Road

Richmond Co: Henrico VA 23150-

Landholding Agency: Air Force

Property Number: 189010435

Status: Unutilized.

Reason: Floodway.

Parcel 3, (Byrd Field)

Richmond IAP

5680 Beulah Road

Richmond Co: Henrico VA 23150-

Landholding Agency: Air Force

Property Number: 189010436

Status: Unutilized.

Reason: Within 2000 ft. of flammable or explosive material.

Parcel 2, (Byrd Field)

Richmond IAP

5680 Beulah Road

Richmond Co: Henrico VA 23150-

Landholding Agency: Air Force

Property Number: 189010437

Status: Unutilized.

Reason: Within 2000 Ft. of flammable or explosive material.

Secured Area.

ANG Site

Camp Pendleton

Virginia Air National Guard

Virginia Beach Co: (See County) VA 23451-

Landholding Agency: Air Force

Property Number: 189010589

Status: Unutilized.

Reason: Secured Area.

Washington

Fairchild AFB

SE corner of base

Fairchild AFB Co: Spokane WA 99011-

Landholding Agency: Air Force

Property Number: 189010137

Status: Unutilized.

Reason: Secured Area.

Fairchild AFB

Fairchild AFB Co: Spokane WA 99011-

Location: NW corner of base

Landholding Agency: Air Force

Property Number: 189010138

Status: Unutilized.

Reason: Secured Area.

[FR Doc. 92-3840 Filed 2-20-92; 8:45 am]

BILLING CODE 4210-29-M

DEPARTMENT OF THE INTERIOR**Bureau of Land Management**

[CO-050-4830-12]

Canon City District Advisory Council; Meeting

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of meeting.

SUMMARY: Notice is hereby given in accordance with Public law 94-579 that Canon City District Advisory Council (DAC) Meeting will be held Thursday, March 12, 1992, 10 a.m. to 4:30 p.m. at the Canon City District Office, 3170 East Main, Canon City, Colorado.

The meeting agenda will include:

1. Discussion on the Garden Park Environmental Analysis.
2. Briefing on the Gold Belt Pre-Plan.
3. Tour of the Garden Park Fossil Area.
4. Public presentations to the council (open invitation). The meeting is open to the public. Persons interested may make oral presentations to the council at 11:30 a.m., or they may file written statements for the council's consideration. The District Manager may limit the length of oral presentations depending on the number of people wishing to speak.

ADDRESS: Anyone wishing to make oral or written presentation to the council should notify the District Manager, Bureau of Land Management, P.O. Box 2200, 3170 East Main, Canon City, Colorado 81215-1100, by March 11, 1992.

FOR FURTHER INFORMATION CONTACT: Ken Smith (719) 275-0631.

SUPPLEMENTARY INFORMATION:

Summary of minutes of the meeting will be available for public inspection and reproduction during regular working hours at the District Office approximately 30 days following the meeting.

Donnie R. Sparks,

District Manager.

[FR Doc. 92-4039 Filed 2-20-92; 8:45 am]

BILLING CODE 4310-JB-M

[UT-040-02-4320-12]

Cedar City District Grazing Advisory Board; Meeting

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of meeting of the Cedar City District Grazing Advisory Board.

SUMMARY: Notice is hereby given in accordance with Public Law 92-463 of a meeting of the Cedar City District Grazing Advisory Board. Meeting agenda items will include updates on the Resource Management Plans and resource area boundaries, predator control, range maintenance policy, vegetative treatment status and ranking of proposed advisory board projects.

DATE: March 26, 1992. The meeting will begin at 9 a.m. in the Cedar City District Office, 176 East D.L. Sargent Drive, Cedar City, Utah.

FOR FURTHER INFORMATION CONTACT: Gordon R. Staker, District Manager, Cedar City District, 176 D.L. Sargent Drive, Cedar City, Utah 84720. Telephone: 801 588-2401.

SUPPLEMENTARY INFORMATION: Grazing Advisory Board meetings are open to the public. Interested persons may make

oral statements or file written statements for the Board's consideration. Anyone wishing to make a statement notify the District Manager by Friday March 13, 1992. A time limit may be established by the District Manager.

Dated: February 11, 1992.

Gordon R. Staker,

District Manager.

[FR Doc. 92-4040 Filed 2-20-92; 8:45 am]

BILLING CODE 4310-JB-M

[CO-070-4320-12-241A]

Grand Junction District Grazing Advisory Board Meeting

AGENCY: Bureau of Land Management, Department of the Interior.

ACTION: Notice of meeting of Grand Junction District Advisory Board.

SUMMARY: Notice is hereby given that a meeting of the Grand Junction District Grazing Advisory Board will be held on Thursday, March 12, 1992. The meeting will convene in the conference room at the Bureau of Land Management, 764 Horizon Drive, Grand Junction, Colorado at 9:00 a.m.

SUPPLEMENTARY INFORMATION: The agenda for the meeting will include: (1) Introduction; (2) Minutes of the previous meeting; (3) Colorado Range Update; (4) Payment of Grazing Fees; (5) Integrated Activity Plans; (6) Cost of Prescribed Fire; (7) Status of Current Range Projects; (8) Advisory Board Project Proposals; (9) Public Presentations; (10) Arrangements for the next meeting.

The meeting is open to the public. Interested persons may make oral statements to the Board between 3 p.m. and 3:30 p.m. or file written statements for the Board's consideration. Anyone wishing to make an oral statement must notify the District Manager, Bureau of Land Management, 764 Horizon Drive, Grand Junction, Colorado 816506 by March 11, 1992. Depending on the number of persons wishing to make oral statements, a per person time limit may be established by the District Manager. Minutes of the Board Meeting will be maintained in the District Office and be available for public inspection and reproduction (during regular business hours) after thirty (30) days following the meeting.

Further information on the meeting may be obtained at the above address, or by calling (303) 243-6552.

Lynda Boody,

Acting District Manager.

[FR Doc. 92-3968 Filed 2-20-92; 8:45 am]

BILLING CODE 4310-JB-M

Fish and Wildlife Service

Receipt of Applications for Permit

The following applicants have applied for a permit to conduct certain activities with endangered species. This notice is provided pursuant to Section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531, *et seq.*):

PRT 678845

Applicant: Mesa Garden Nursery, Belen, NM.

The applicant requests a permit to sell artificially propagated San Rafael cacti (*Pediocactus despainii*) in interstate and foreign commerce for the purpose of enhancement of propagation. Specimens grown from seed. Parental stock started from seeds collected in Utah and now producing third generation seedlings.

PRT 765142

Applicant: University of Louisville, Louisville, KY.

The applicant requests a permit to import blood samples taken from the following captive and captive-hatched crocodylians held at the Madras Crocodile Bank, Tamil, India, for DNA extraction that will clarify phylogenetic relationships: *Crocodylus moreletii*, *C. niloticus*, *C. palustris*, *C. porosus*, *C. siamensis*, *Giavialis gangeticus*, *Melanosuchus niger*, *Osteolaemus tetraspis* and *Tomistoma schlegelii*.

PRT 717614

Applicant: Gary Johnson, Perris, CA.

The applicant requests a permit for multiple exports and reimports of Asian elephants (*Elephas maximus*) for exhibition purposes to provide conservation education.

PRT 697819

Applicant: USFWS, Regional Director, Region 4, Atlanta, GA.

The applicant requests amendment and renewal of their current permit to include take of Tennessee yellow-eyed grass (*Xyris tennesseensis*), Guthrie's ground-plum (*Astragalus bibullatus*), white irisette (*Sisyrinchium dichotomum*), and Gulf sturgeon (*Acipenser oxyrinchus desotoi*) for the purpose of scientific research and enhancement of propagation or survival of the species as prescribed by Service recovery documents. Their current permit includes take of various fish, plants, mammals, birds, reptiles, amphibians, mussels, insects and snails.

PRT 765601

Applicant: Lincoln Park Zoological Gardens, Chicago, IL

PRT 765605

Chicago Zoological Society (Brookfield Zoo), Brookfield, IL

PRT 765608

St. Louis Zoo, St. Louis, MO.

The above zoos belonging to the Zoo Midwest Ornithological Association request a permit to purchase up to thirty captive-hatched northern bald (Waldraap) ibis (*Geronticus eremita*) in interstate commerce for enhancement of propagation and public display. The ibis would be purchased in foreign commerce and imported from the Tel Aviv University, Tel Aviv, Israel, by the Milwaukee County Zoo.

Notice of an application from Milwaukee County Zoo to purchase the ibis in foreign commerce and import them for breeding and display by Milwaukee County Zoo and the Zoo Midwest Ornithological Association, PRT-761565, was published in the Federal Register December 12, 1991.

Written data or comments should be submitted to the Director, U.S. Fish and Wildlife Service, Office of Management Authority, 4401 North Fairfax Drive, room 432, Arlington, Virginia 22203 and must be received by the Director within 30 days of the date of this publication.

Documents and other information submitted with these applications are available for review by any party who submits a written request for a copy of such documents to, or by appointment during normal business hours (7:45-4:15) in, the following office within 30 days of the date of publication of this notice: U.S. Fish and Wildlife Service, Office of Management Authority, 4401 North Fairfax Drive, room 432, Arlington, Virginia 22203. Phone: (703/358-2104); FAX: (703/358-2281).

Dated: February 14, 1992.

R.K. Robinson,

Acting Chief, Branch of Permits, Office of Management Authority.

[FR Doc. 92-3986 Filed 2-20-92; 8:45 am]

BILLING CODE 4310-55-M

Minerals Management Service

Environmental Document Prepared for Pipeline Repair and Conversion and Gas Production on the Pacific Outer Continental Shelf (OCS)

AGENCY: Minerals Management Service (MMS), U.S. Department of the Interior.

ACTION: Notice of the Availability of Environmental Document Prepared for the Platform Gina Development and Production Plan Revision on the Pacific OCS.

SUMMARY: The MMS, in accordance with Federal Regulations (40 CFR 1501.4 and 1506.6) that implement the National Environmental Policy Act (NEPA),

announces the availability of a NEPA-related Environmental Assessment (EA) and Finding of No Significant Impact (FONSI), prepared by the MMS for the following Platform Gina Development and Production Plan Revision.

PARTY: UNOCAL COMPANY, U.S.A.

Activity	Location	Date
Repair of produced water return pipeline and conversion to gas service.	East Santa Barbara Channel, Point Hueneme Unit, Lease OCS-P 0202.	2/92 to 3/92.
Installation of temporary H ₂ S sweetening facilities, testing and production evaluation of existing exploratory well.		3/92 thru 8/93.
Added production drilling operations and installation of permanent H ₂ S sweetening facilities.		9/93 thru 1997.

Persons interested in reviewing the environmental document for the proposal listed above or obtaining information about EA's and FONSI's prepared for activities on the Pacific OCS are encouraged to contact the MMS office in the Pacific OCS Region.

FOR FURTHER INFORMATION CONTACT: Regional Supervisor, Office of Leasing and Environment, Pacific OCS Region, Minerals Management Service, 770 Paseo Camarillo, Mail Stop 7300, Camarillo, California 93010, telephone (805) 389-7801.

SUPPLEMENTARY INFORMATION: The MMS prepares EA's and FONSI's for proposals which relate to exploration and development of mineral resources on the Pacific OCS. The EA's examine the potential environmental effects of activities described in the proposals and present MMS conclusions regarding the significance of those effects. The EA is used as a basis for determining whether or not approval of the proposals constitutes major Federal actions that significantly affect the quality of the human environment in the sense of NEPA 102(2)(C). A FONSI is prepared in those instances where the MMS finds that approval will not result in significant effects on the quality of the human environment. The FONSI briefly

presents the basis for that finding and includes a summary or copy of the EA.

This notice constitutes the public notice of availability of environmental documents required under the NEPA regulations.

Dated: February 13, 1992.

J. Lisle Reed,

Regional Director, Pacific OCS Region.

[FR Doc. 92-4038 Filed 2-20-92; 8:45 am]

BILLING CODE 4310-MR-M

INTERNATIONAL TRADE COMMISSION

[Investigation No. 701-TA-308 (Final)]

Bulk Ibuprofen From India

AGENCY: United States International Trade Commission.

ACTION: Cancellation of hearing and brief dates currently scheduled for the subject investigation.

SUMMARY: Pursuant to a request from petitioner under section 705(a)(1) of the Tariff Act of 1930 (19 U.S.C. 1671d(a)(1)), the Department of Commerce has extended the date for its final subsidy determination in the countervailing duty investigation on bulk ibuprofen from India to coincide with that to be made in the ongoing antidumping investigation on the same product. Accordingly, the Commission hereby gives notice of the cancellation of the hearing and brief dates currently scheduled for investigation No. 701-TA-308 (final), which was instituted on December 23, 1991 (57 FR 693, January 8, 1992). The Commission will establish a new schedule for the conduct of the investigation when Commerce makes its preliminary determination in the antidumping investigation (currently scheduled for February 26, 1992).

EFFECTIVE DATE: February 11, 1992.

FOR FURTHER INFORMATION CONTACT: Diane J. Mazur (202-205-3184), Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000.

Issued: February 14, 1992.

By order of the Commission.
Kenneth R. Mason,
Secretary.
 [FR Doc. 92-4007 Filed 2-20-92; 8:45 am]
BILLING CODE 7020-02-M

INTERSTATE COMMERCE COMMISSION

[Docket No. AB-6 (Sub-No. 338X)]

Burlington Northern Railroad Co.— Abandonment Exemption—In Collingsworth and Childress Counties, TX

AGENCY: Interstate Commerce Commission.

ACTION: Notice of Exemption.

SUMMARY: The Commission exempts from the prior approval requirements of 49 U.S.C. 10903-10904 the abandonment by Burlington Northern Railroad Company of 30.81 miles of rail line between milepost 221.91, near Childress, and milepost 252.72, near Wellington, in Collingsworth and Childress Counties, TX, subject to standard labor protective conditions.

DATES: Provided no formal expression of intent to file an offer of financial assistance has been received, this exemption will be effective on March 22, 1992. Formal expressions of intent to file an offer¹ of financial assistance under 49 CFR 1152.27(c)(2) and requests for a public use condition must be filed by March 2, 1992; petitions to stay must be filed by March 9, 1992, and petitions for reopening must be filed by March 17, 1992.

ADDRESSES: Send pleadings referring to Docket No. AB-6 (Sub-No. 338X) to: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423.

Petitioner's representative: Sarah J. Whitley, Burlington Northern Railroad Company, 3800 Continental Plaza, 777 Main Street, Fort Worth, TX 76102.

FOR FURTHER INFORMATION CONTACT: Joseph H. Dettmar (202) 927-5660 [TDD for hearing impaired: (202) 927-5721].

SUPPLEMENTARY INFORMATION:

Additional information is contained in the Commission's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: Dynamic Concepts, Inc., room 2229, Interstate Commerce Commission Building, Washington, DC 20423. Telephone: (202) 289-4357/4359. [Assistance for the hearing impaired is available through TDD service (202) 927-5721.]

Decided: February 6, 1992.

By the Commission, Chairman Philbin, Vice Chairman McDonald, Commissioners Simmons, Phillips, and Emmett.
Sidney L. Strickland, Jr.,
Secretary.

[FR Doc. 92-4017 Filed 2-20-92; 8:45 am]
BILLING CODE 7035-01-M

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research Notification; Bell Communications Research, Inc.

Notice is hereby given that, pursuant to section 6(a) of the National Cooperative Research Act of 1984, 15 U.S.C. 4301 *et seq.* ("the Act"), Bell Communications Research, Inc. ("Bellcore") on January 13, 1992, filed a written notification on behalf of Bellcore and Fujitsu Limited and Fujitsu Laboratories Ltd. ("FJ") simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties to the venture and (2) the nature and objective of the venture. The notification was filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to section 6(b) of the Act, the identities of the parties to the venture, and its general areas of planned activities, are given below.

Bellcore is a Delaware corporation with its principal place of business in Livingston, New Jersey.

Fujitsu Limited and Fujitsu Laboratories Ltd. are Japanese corporations with their principal place of business in Kanagawa-ken, Japan.

Bellcore and FJ entered into an agreement effective as of October 30, 1991 to cooperate in experimenting with and validating future telecommunications network architectures and concepts in support of exchange and exchange access telecommunications services, and specifically in establishing and participating in Information Networking Architecture (INA) field experiments.

Joseph H. Widmar,
Director of Operations, Antitrust Division.
 [FR Doc. 92-4037 Filed 2-20-92; 8:45 am]
BILLING CODE 4410-01-M

Notice Pursuant to the National Cooperative Notification; Project Bluebonnet

Notice is hereby given that, pursuant to section 6(a) of the National

Cooperative Research Act of 1984, 15 U.S.C. 4301 *et seq.* ("the Act"), Bluebonnet—The Texas Network Education and Research Corporation ("Project Bluebonnet") on August 9, 1991, filed a written notification on behalf of Project Bluebonnet and its members and Telemedical Interactive Consultative Services, Inc. ("TICS") simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties to the venture and (2) the nature and objectives of the venture. The notification was filed for the purpose of invoking the protections of section 4 of the Act, which limit the recovery of antitrust plaintiffs to actual damages under specified circumstances.

Pursuant to section 6(b) of the Act, the parties to this venture and its general areas of planned activity are given below.

Project Bluebonnet is a Texas corporation with its principal place of business in Austin, Texas. Project Bluebonnet's members include Arthur Anderson & Co.; Association of Community & Research Services; ATC Long Distance; AT&T; Austin Community College; Baylor College of Medicine; Bickerstaff, Heath & Smiley; Compression Labs, Inc.; Dallas-Forth Worth Teleport; DSC Communications Corporation; GTE Southwest Incorporated; Holt, Rinehart & Winston, Inc.; Infomart; INNOVA, MCC Corporation; MCI Telecommunications Corp.; Northern Telecom; OTM Engineering, Inc.; Richland College; Rockwell International; Ross, Howison, Clapp & Korn; San Marcos Telephone Company; SPIDERNET; Southern Methodist University; STARLINK; Technical Concepts Corp.; TICS; Texas A&M University; Texas Association of School Boards; Texas Cable TV Association; Texas Computer Industry Council; Texas Department of Information Resources; Texas Department of Health; Texas Department of Highways; Texas Higher Education Coordinating Board; Texas Hospital Education & Research; Texas Instruments, Inc.; Texas Public Utility Commission; Texas State Purchasing & GSC; Texas State Technical Institute; Texas Tech Health Science Center; Texas Telephone Association; Texas Innovative Information Network System; TRC Engineering Services, Inc.; University of North Texas; University of Texas, Arlington; University of Texas, Austin; University of Texas, Dallas; and Video Telecom Corporation.

ATC Long Distance is a Delaware corporation with its principal place of business in Austin, Texas.

¹ See Exempt. of Rail Abandonment—Offers of Finan. Assist., 4 I.C.C.2d 164 (1987).

GTE Southwest Incorporated is a Delaware corporation with its principal place of business in Irving, Texas.

Video Telecom Corporation is a Delaware corporation with its principal place of business in Austin, Texas.

Microelectronics and Computer Technology Corporation is a Delaware corporation having a principal place of business in Austin, Texas.

Texas Instruments, Inc. is a Delaware corporation with its principal place of business in Austin, Texas.

TICS is a Texas corporation with its principal place of business in Austin, Texas.

Southwestern Bell is a Missouri corporation with its principal place of business in Dallas, Texas.

On May 15, 1991, Project Bluebonnet (on behalf of its participating members identified directly above) and TICS and Microelectronics and Computer Technology Corporation and Southwestern Bell entered into an agreement to conduct a joint demonstration, cost feasibility research project to investigate the delivery of medical and mental health care to the community of Giddings, Texas using interactive video services. The project, named the Texas Telemedicine Project, will be conducted over a fourteen month period. Participating Project Bluebonnet members will provide

telecommunications equipment, facilities and services to conduct the trial and TICS will serve as project director and will coordinate with the physicians and health care providers as well as the health care facilities involved in the project. The telecommunications network used in the Project will connect the Lee County Memorial Hospital, the Regional Dialysis Clinic, and the Texas Youth Commission—Giddings Unit (all in Giddings, Texas) with the Texas Department of Mental Health & Mental Retardation at the Austin State Hospital, the Texas Youth Commission—State Headquarters, and the Austin Diagnostic Clinic, all in Austin, Texas.

Joseph H. Widmar,

Director of Operations, Antitrust Division.

[FR Doc. 92-4036 Filed 2-20-92; 8:45 am]

BILLING CODE 4410-01-M

National Cooperative Research Notification; Gas Utilization Research Forum

Notice is hereby given that pursuant to section 6(a) of the National Cooperative Research Act of 1984, 15 U.S.C. 4301 *et seq.* ("the Act"), Gas Utilization Research Forum ("GURF")

filed written notifications simultaneously with the Attorney General and the Federal Trade Commission on January 2, 1992, concerning the identities of additional members of GURF. The written notifications were filed for the purpose of extending the protections of section 4 of the Act limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances.

The following are additional parties which have become members of GURF: University of Bath, School of Materials Science, Bath, United Kingdom. Southern California Gas Company, Los Angeles, California.

No other changes have been made in either the membership or planned activity of GURF.

On December 19, 1990, GURF filed its original notification pursuant to section 6(a) of the Act. The Department of Justice published notices in the Federal Register pursuant to section 6(b) of the Act on January 16, 1991, 56 FR 1655, on April 24, 1991, 56 FR 18837, and on June 13, 1991, 56 FR 27272.

Joseph H. Widmar,

Director of Operations, Antitrust Division.

[FR Doc. 92-4031 Filed 2-20-92; 8:45 am]

BILLING CODE 4410-01-M

The National Cooperative Research Notification; Adsorbed Natural Gas Tankering Phase 1 Study

Notice is hereby given that, on January 9, 1992, pursuant to section 6(a) of the National Cooperative Research Act of 1984, 15 U.S.C. 4301, *et seq.* ("the Act"), Gas Utilization Research Forum ("GURF") filed written notifications simultaneously with the Attorney General and the Federal Trade Commission of a project entitled "Adsorbed Natural Gas Tankering Phase 1 Study". The notification discloses (1) the identities of the parties to the project and (2) the nature and objective of the project. The notification was filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to section 6(b) of the Act, the identities of the parties to the project and its general areas of planned activities are given below:

Amoco Corporation, Alternative Feedstock Development Dept., Naperville, Illinois, USA;
Atlanta Gas Light Adsorbent Research Group, Atlanta Gas Light Company, Atlanta, Georgia, USA;
British Gas plc, Engineering Research Station, Newcastle-Upon-Tyne, UK;

Chevron Research & Technology Company, San Ramon, California, USA;

Mobil Research & Development Corporation, Paulsboro Research Laboratory, Paulsboro, New Jersey, USA; and

BHP Research—Melbourne Laboratories, Mulgrave Vic 3170, Australia.

The nature and objectives of this project and the area of planned activity in this venture are: (i) To develop preliminary concepts and cost estimates for the large scale transport of natural gas as adsorbed natural gas (ANG); and (ii) to compare the economics of transporting natural gas as ANG relative to compressed natural gas and liquefied natural gas at a prefeasibility study level of accuracy.

Membership in this group research project remains open, and the parties intend to file additional written notification disclosing all changes in membership of this project. Information regarding participation in this project may be obtained from BHP Engineering Pty Ltd., Petroleum Services Division, P.O. Box 1237, North Sydney NSW 2059, Australia.

Joseph H. Widmar,

Director of Operations, Antitrust Division.

[FR Doc. 92-4033 Filed 2-20-92; 8:45 am]

BILLING CODE 4410-01-M

National Cooperative Research Notification; Industrial Macromolecular Crystallography Association

Notice is hereby given that, on January 16, 1992, pursuant to section 6(a) of the National Cooperative Research Act of 1984, 15 U.S.C. 4301 *et seq.* ("the Act"), the Industrial Macromolecular Crystallography Association ("IMCA") filed a written notification simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notification was filed for the purpose of invoking the protections of the Act limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances.

The following parties have been added to IMCA:

Miles, Inc., an Indiana corporation, having a principal place of business at 400 Morgan Lane, West Haven, Connecticut 06518; and
Sterling Drug, Inc., a Delaware corporation, having a principal place of business at 90 Park Avenue, New York, New York 10016.

No other changes have been made in either the membership, objectives, or planned activities of IMCA.

On October 23, 1990, IMCA filed its original notification pursuant to section 6(a) of the Act. The Department of Justice published a notice in the *Federal Register* pursuant to section 6(b) of the Act on December 3, 1990 (55 FR 49952-53). IMCA has filed additional notifications on June 10, 1991, and August 28, 1991, notices of which the Department published in the *Federal Register* on July 5, 1991 (56 FR 30771), and October 10, 1991 (56 FR 51240-41), respectively.

Joseph H. Widmar,

Director of Operations, Antitrust Division.

[FR Doc. 92-4035 Filed 2-20-92; 8:45 am]

BILLING CODE 4410-01-M

National Cooperative Research Notification;—Malathion Reregistration Coalition

Notice is hereby given that, on January 17, 1992, pursuant to section 6(a) of the National Cooperative Research Act of 1984, 15 U.S.C. 4301 *et seq.* ("the Act"), the Malathion Reregistration Coalition ("Coalition") has filed written notification simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties to the Coalition and (2) the Coalition's nature and objectives. The notification was filed for the purpose of invoking the Act's provisions limiting the potential recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to section 6(b) of the Act, the identities of the parties to the Coalition and its general area of planned activities are given below.

The current members to the Coalition are: Bonide Products, Yorkville, New York; Chevron Chemical Company, Richmond, California; Cornbelt Chemical Company, McCook, Nebraska; Dexcel Industries, Torrance, California; Dragon Chemical Corp., Roanoke, Virginia; Ford's Chemical Co., Pasadena, Texas; Prentiss Incorporated, Floral Park, New York; Purina Mills, Incorporated, Earth City, Missouri; Rockland Corporation, West Caldwell, New Jersey; Southern Agricultural Insecticides, Inc., Palmetto, Florida; Southern Mill Creek Products Co., Inc., Tampa, Florida; Voluntary Purchasing Groups, Inc., Bonham, Texas; and Wilbur-Ellis Company, Buckner, Kentucky.

The objectives of the Coalition are to acquire, sponsor and conduct research to develop data on the pesticide active ingredient malathion and certain

formulations in connection with certain uses thereof, to share in the costs of acquiring or developing such data and to acquire ownership rights in such data. The results of the research will be submitted to the U.S. Environmental Protection Agency ("EPA") in connection with current and future reregistration requirements and Data Call-In Notices of pesticides containing malathion as an active ingredient. The parties intend to file additional written notification disclosing all changes in membership of this project.

Joseph H. Widmar,

Director of Operations, Antitrust Division.

[FR Doc. 92-4034 Filed 2-20-92; 8:45 am]

BILLING CODE 4410-01-M

Notice Pursuant to the National Cooperative Research Notification; Clean Heavy-Duty Diesel Engine Development

Notice is hereby given that, on January 9, 1992, pursuant to section 6(a) of the National Cooperative Research Act of 1984, 15 U.S.C. 4301 *et seq.* ("the Act"), Southwest Research Institute ("SwRI") filed written notification simultaneously with the Attorney General and the Federal Trade Commission disclosing the addition of a party to its group research project regarding "Clean Heavy-Duty Diesel Engine Development." The notification was filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, SwRI advised that Detroit Diesel Corporation, 1300 West Outer Drive, Detroit, MI 48239-4001 has become a party to the group research project.

No other changes have been made in either the membership or the planned activity of the group research project.

On November 4, 1991, SwRI filed its original notification pursuant to section 6(a) of the Act. The Department of Justice published a notice in the *Federal Register* pursuant to section 6(b) of the Act on December 9, 1991 (56 FR 64275).

Joseph H. Widmar,

Director of Operations, Antitrust Division.

[FR Doc. 92-4032 Filed 2-20-92; 8:45 am]

BILLING CODE 4410-01-M

DEPARTMENT OF LABOR

Labor Advisory Committee for Trade Negotiations and Trade Policy

Meeting Notice

Pursuant to the provisions of the Federal Advisory Committee Act (P.L.

92-463 as amended), notice is hereby given of a meeting of the Labor Advisory Committee for Trade Negotiations and Trade Policy.

Date, time and place: March 11, 1992, 10 am-12 noon, rm. N-3437 C&D, Department of Labor Building, 200 Constitution Ave., NW, Washington, DC 20210.

Purpose: To discuss trade negotiations and trade policy of the United States.

This meeting will be closed under the authority of section 10(d) of the Federal Advisory Committee Act and 5 U.S.C. section 552(c)(1). The Committee will hear and discuss sensitive and confidential matters concerning U.S. trade negotiations and trade policy.

For further information, contact: Fernand Lavalley, Director, Trade Advisory Group, Phone: (202) 523-2752

Signed at Washington, DC, this 17th day of February, 1992.

Shellyn G. McCaffrey,

Deputy Under Secretary, International Affairs.

[FR Doc. 92-4057 Filed 2-20-92; 8:45 am]

BILLING CODE 4510-28-M

Office of the Secretary

Agency Recordkeeping/Reporting Requirements Under Review by the Office of Management and Budget (OMB)

Background: The Department of Labor, in carrying out its responsibilities under the Paperwork Reduction Act (44 U.S.C. chapter 35), considers comments on the reporting/recordkeeping requirements that will affect the public.

List of Recordkeeping/Reporting Requirements Under Review: As necessary, the Department of Labor will publish a list of the Agency recordkeeping/reporting requirements under review by the Office of Management and Budget (OMB) since the last list was published. The list will have all entries grouped into new collections, revisions, extensions, or reinstatements. The Departmental Clearance Officer will, upon request, be able to advise members of the public of the nature of the particular submission they are interested in. Each entry may contain the following information:

The Agency of the Department issuing this recordkeeping/reporting requirement.

The title of the recordkeeping/reporting requirement.

The OMB and/or Agency identification numbers, if applicable.

How often the recordkeeping/reporting requirement is needed.

Whether small businesses or organizations are affected.

An estimate of the total number of hours needed to comply with the recordkeeping/reporting requirements and the average hours per respondent.

The number of forms in the request for approval, if applicable.

An abstract describing the need for and uses of the information collection.

Comments and Questions. Copies of the recordkeeping/reporting requirements may be obtained by calling the Departmental Clearance Officer, Kenneth A. Mills ([202] 523-5095). Comments and questions about the items on this list should be directed to Mr. Mills, Office of Information Resources Management Policy, U.S. Department of Labor, 200 Constitution Avenue, NW., room N-1301, Washington, DC 20210. Comments should also be sent to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for (BLS/DM/ESA/ETA/OLMS/MSHA/OSHA/PWBA/VETS), Office of Management and Budget, room 3001, Washington, DC 20503 ([202] 395-6880).

Any member of the public who wants to comment on recordkeeping/reporting requirements which have been submitted to OMB should advise Mr. Mills of this intent at the earliest possible date.

Extension

Employment Standards Administration

Housing Occupancy Certificate

1215-0158

WH-520

Annually

Individuals or households; Farms; Businesses or other for profit; Small businesses or organizations
260 respondents; 17 total hours; 1/20 hr. per response

1 form

Section 203(b)(1) of the Migrant and Seasonal Agricultural Worker Protection Act requires any person owning or controlling any facility or real property to be occupied by migrant agricultural workers to obtain a certificate of occupancy. Form WH 520 is the form used when DOL's Wage and Hour Division inspects and approves such housing.

Survivor's Claim for Benefits under the Black Lung Benefits Act

1215-0069

CM-912

On death of miner

Individuals or households

1,200 respondents; 500 total hours; 25 min. per response

1 form

A survivor of a coal miner must file a claim for benefits under the Black Lung Benefits Act, as amended, in order to receive benefits. The claim and supporting documentation are reviewed by DCMWC claims examiners to determine the survivor's eligibility for benefits.

Signed at Washington, DC, this 12th day of February 1992.

Kenneth A. Mills,

Departmental Clearance Officer.

[FR Doc. 92-4056 Filed 2-20-92; 8:45 am]

BILLING CODE 4510-27-M

Employment Standards Administration Wage and Hour Division

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR part 1, appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in

U.S.C. 553 and not providing for delay in the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersedeas decisions thereto, contain no expiration dates and are effective from their date of notice in the **Federal Register**, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29 CFR parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon and Related Acts," shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

Any person, organization, or governmental agency having an interest in the rates determined as prevailing is encouraged to submit wage rate and fringe benefit information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue, NW., room S-3014, Washington, DC 20210.

Modifications to General Wage Determination Decisions

The numbers of the decisions listed in the Government Printing Office document entitled "General Wage Determinations Issued Under the Davis-Bacon and Related Acts" being modified are listed by Volume, State and page number(s). Dates of publication in the **Federal Register** are in parentheses following the decisions being modified.

Volume I

Alabama:

AL91-22 (Feb. 22, 1991)..... p. 43, p. 44

Maryland:

MD91-6 (Feb. 22, 1991) p. all
MD91-8 (Feb. 22, 1991) p. all
New York:
NY91-12 (Feb. 22, 1991) p. 893, p. 895
NY91-20 (Feb. 22, 1991) p. 949, pp.

Virginia.
 VA91-19 (Feb. 22, 1991)..... p. all
 VA91-65 (Feb. 22, 1991)..... p. all
 VA91-68 (Feb. 22, 1991)..... p. all

West Virginia:
WV91-2 (Feb. 22, 1991)..... p. 1421, pp.
1422-1433

Volume II

Iowa:
IA91-14 (Feb. 21, 1991)..... p. all

Kansas:
KS91-8 (Feb. 22, 1991)..... p. all

Wisconsin:
WI91-18 (Feb. 22, 1991) p. all

Volume III

Alaska:
AK91-1 (Feb. 22, 1991)..... p. all

CA91-1 (Feb. 22, 1991)..... p. all

CA91-2 (Feb. 22, 1991)..... p. all
Washington:
WA91-1 (Feb. 22, 1991)..... p. 451, p. 453

General Wage Determination Publication

General wage determinations issued under the Davis-Bacon and related Acts, including those noted above, may be found in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon And Related Acts". This publication is available at each of the 50 Regional Government Depository Libraries and many of the 1,400 Government Depository Libraries across the country. Subscriptions may be purchased from:

Superintendent of Documents, U.S.
Government Printing Office, Washington, DC
20402 (202) 783-3238.

When ordering subscription(s), be sure to specify the State(s) of interest, since subscriptions may be ordered for any or all of the three separate volumes, arranged by State. Subscriptions include an annual edition (issued on or about January (1) which includes all current general wage determinations for the States covered by each volume. Throughout the remainder of the year, regular weekly updates will be distributed to subscribers.

Signed at Washington, DC. This 14th Day
of February 1992.

Alan L. Moss,
Director, Division of Wage Determination.
[FR Doc. 92-3973 Filed 2-20-92; 8:45 am]

BILLING CODE 4510-27-M

Employment and Training Administration

Targeted Jobs Tax Credit Program

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice of the extension of the Targeted Jobs Tax Credit program.

SUMMARY: The Targeted Jobs Tax Credit (TJTC) program offers employers a credit against their tax liability for hiring individuals from nine target groups who have traditionally had difficulty in obtaining and holding jobs.

The present TJTC program authorization, the result of a one-year extension under the Omnibus Reconciliation Act of 1990 (P.L. 101-508), expired on December 31, 1991. The program has been extended an additional six (6) months through June 30, 1992, by the Tax Extension Act of 1991 (P.L. 102-227, December 11, 1991). Eligible employees starting to work after December 31, 1991, may be certified provided the requirement for a timely request for certification is met and all other appropriate information is provided.

FOR FURTHER INFORMATION CONTACT:
Mr. Clayton J. Cottrell, Chief, Division of
Planning and Operations, U.S.
Employment Service, U.S. Department of
Labor/ETA, room N-4470, 200
Constitution Ave., NW., Washington,
DC 20210. Telephone (202)-535-0192. For
general TJTC program information
contact: Individual State Employment
Security Agencies (SESAs), listed in
most telephone directories under State
government.

SUPPLEMENTARY INFORMATION: The Tax Extension Act of 1991 (Pub. L. 102-227, December 11, 1991), extends the TJTC program for an additional six (6) months through June 30, 1992. The target groups served under the program have not changed, nor have other provisions of the TJTC program under the present authorization. Procedural guidance in the form of an Employment Service Program Letter (ESPL) is being issued by the U.S. Department of Labor/ Employment and Training Administration, to State Employment Security Agencies.

This change and others identified by SESAs, Department of Labor Regional Offices, and other participants in the program, will be incorporated, if appropriate, in forthcoming changes to ET Handbook No. 377, 5th Edition, August 1991, "Targeted Jobs Tax Credit Program".

Signed at Washington, D.C., this 13th day
of February 1992.

Roberts T. Jones,
Assistant Secretary of Labor.
[FR Doc. 92-4058 Filed 2-20-92; 8:45 am]
BILLING CODE 4510-30-M

**NATIONAL FOUNDATION ON THE
ARTS AND THE HUMANITIES**

**Agency Information Collection
Activities Under OMB Review**

AGENCY: National Endowment for the Arts.

ACTION: Notice.

SUMMARY: The National Endowment for the Arts (NEA) has sent to the Office of Management and Budget (OMB) a request for expedited clearance, by March 14, 1992, of the following proposal for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

DATES: Comments on this information collection must be submitted by March 12, 1992.

ADDRESSES: Send comments to Mr. Dan Chenok, Office of Management and Budget, New Executive Office Building, 726 Jackson Place, NW., room 3002, Washington, DC 20503; (202-395-7316). In addition, copies of such comments may be sent to Ms. Judith E. O'Brien, National Endowment for the Arts, Administrative Services Division, room 203, 1100 Pennsylvania Avenue, NW., Washington, DC 20506; (202-682-5401).

FOR FURTHER INFORMATION CONTACT:
Ms. Judith E. O'Brien, National
Endowment for the Arts, Administrative
Services Division, room 203, 1100
Pennsylvania Avenue, NW.,
Washington, DC 20506; (202-682-5401).

SUPPLEMENTARY INFORMATION: The Endowment requests the review of a revision of a currently approved collection of information. This entry is issued by the Endowment and contains the following information:

(1) The title of the form; (2) how often the required information must be reported; (3) who will be required or asked to report; (4) what the form will be used for; (5) an estimate of the number of responses; (6) the average burden hours per response; (7) an estimate of the total number of hours needed to prepare this form. This entry is not subject to 44 U.S.C. 3504(h).

Title: FY 93 Arts Administration
Fellows Application Guidelines.

Frequency of Collection: Possible three times a year.

Respondents: Individuals.

Use: Guideline instructions and applications elicit relevant information from arts administrators, individuals, and graduate students who apply for the Arts Administration Fellows Program. This information is necessary for the accurate, fair and thorough consideration of competing proposals in the review process.

Estimated Number of Respondents: 350.

Average Burden Hours Per Response: 3.857.

Total Estimated Burden: 1,350.

Judith E. O'Brien,

Management Analyst, Administrative Services Division, National Endowment for the Arts.

[FR Doc. 92-3981 Filed 2-20-92; 8:45 am]

BILLING CODE 7537-01-M

Agency Information Collection Activities Under OMB Review

AGENCY: National Endowment for the Arts.

ACTION: Notice.

SUMMARY: The National Endowment for the Arts (NEA) has sent to the Office of Management and Budget (OMB) a request for clearance of the following proposal for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

DATES: Comments on this information collection must be submitted by March 23, 1992.

ADDRESSES: Send comments to Mr. Dan Chenok, Office of Management and Budget, New Executive Office Building, 726 Jackson Place, NW., room 3002, Washington, DC 20503; (202-395-7316). In addition, copies of such comments may be sent to Ms. Judith E. O'Brien, National Endowment for the Arts, Administrative Services Division, room 203, 1100 Pennsylvania Avenue, NW., Washington, DC 20506; (202-682-5401).

FOR FURTHER INFORMATION CONTACT:

Ms. Judith E. O'Brien, National Endowment for the Arts, Administrative Services Division, room 203, 1100 Pennsylvania Avenue, NW., Washington, DC 20506; (202-682-5401).

SUPPLEMENTARY INFORMATION: The Endowment requests the review of a revision of a currently approved collection of information. This entry is issued by the Endowment and contains the following information:

(1) The title of the form; (2) how often the required information must be reported; (3) who will be required or asked to report; (4) what the form will

be used for; (5) an estimate of the number of responses; (6) the average burden hours per response; (7) an estimate of the total number of hours needed to prepare the form. This entry is not subject to 44 U.S.C. 3504(h).

Title: FY 93 Folk Arts Guidelines Application Guidelines.

Frequency of Collection: One time.

Respondents: Individuals; State or local governments; Non-profit institutions.

Use: Guideline instructions and applications elicit relevant information from individuals, non-profit organizations and state or local arts agencies that apply for funding under specific Folk Arts categories. This information is necessary for the accurate, fair and thorough consideration of competing proposals in the peer review process.

Estimated Number of Respondents: 390.

Average Burden Hours per Response: 18.33.

Total Estimated Burden: 7,906.

Judith E. O'Brien,

Management Analyst, Administrative Services Division, National Endowment for the Arts.

[FR Doc. 92-3982 Filed 2-20-92; 8:45 am]

BILLING CODE 7537-01-M

NATIONAL SCIENCE FOUNDATION

Special Emphasis Panel in Chemical and Thermal Systems; Meetings

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation announces the following two meetings:

Name: Special Emphasis Panel in Chemical and Thermal Systems.

Date and Time: March 6, 1992, 8:30 a.m. to 5 p.m.

Place: Rm. 1133, National Science Foundation, 1800 G Street, NW., Washington, DC.

Contact Person: Maria Burka of Farley Fisher, Program Directors, Chemical Reaction Processes, room 1115, National Science Foundation, Washington, DC 20550. Telephone: (202) 357-9606.

Date and Time: April 6, 1992; 8:30 a.m. to 5 p.m.

Place: Rm. 540B, National Science Foundation, 1800 G Street, NW., Washington, DC.

Contact Person: M. C. Roco or Steven Traugott, Program Directors, Fluid, Particulate and Hydraulic Systems, room 1115, National Science Foundation, Washington, DC 20550. Telephone: (202) 357-9606.

Type of Meetings: Closed.

Purpose of Meetings: To provide advice and recommendations concerning support for research in Chemical and Thermal Systems.

Agenda: To review and evaluate Material Synthesis and Processes proposals as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c)(4) and (6) of the Government in the Sunshine Act.

Dated: February 18, 1992.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 92-4018 Filed 2-20-92; 8:45 am]

BILLING CODE 7555-02-M

NUCLEAR REGULATORY COMMISSION

Proposed Availability of FY92 Funds for Financial Assistance (Cooperative Agreements) to Support Research at Historically Black Colleges and Universities and the Exchange of Information

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice.

SUMMARY: The Nuclear Regulatory Commission (NRC), Office of Small and Disadvantaged Business Utilization and Civil Rights, announces proposed availability of Fiscal Year (FY) 92 funds to initiate a financial assistance program for Historically Black Colleges and Universities (HBCUs). The FY92 ceiling for the program is \$150,000 which will be administered in accordance with the Federal Grant and Cooperative Agreement Act of 1977. Because of the limited sum, HBCUs should restrict proposed research cooperative agreement budgets to no more than \$50,000 per year, with total project funding not exceeding \$100,000 over a two-year period. Proposals for FY92 research cooperative agreements should be submitted between the date of this notice and April 20, 1992. Proposals received after April 20, 1992, may or may not be considered for funding in FY92, which ends September 30, 1992.

ADDRESSES: Attention: Grants Officer, Division of Contracts and Property Management, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

FOR FURTHER INFORMATION CONTACT: Ms. Leslie Mills, (301) 492-7054.

SUPPLEMENTARY INFORMATION:**Background**

On May 2, 1989, the Executive Office of the President published in the *Federal Register* (54 FR 18869) Executive Order 12677 of April 28, 1989, informing each Executive Department and those Executive agencies designated by the Secretary of Education to establish an annual plan to increase the ability of HBCUs to participate in federally sponsored programs. On September 1, 1989, the NRC FY90 Federal Plan for Assistance was submitted to the Executive Director of the White House initiative on Historically Black Colleges and Universities, U.S. Department of Education. On October 27, 1989, the White House Initiative approved the financial assistance to HBCUs as part of the NRC Federal Plan which described specific strategies for involving HBCUs in NRC research activities.

Scope and Purpose of This Announcement

Pursuant to Executive Order 12677 of April 28, 1989, and the NRC Federal Plan, the NRC Office of Small and Disadvantaged Business Utilization and Civil Rights has a limited amount of funds (FY92 ceiling of \$150,000) to support research cooperative agreements to HBCUs.

The proposed HBCU research cooperative agreement program is part of a larger NRC effort to increase university involvement in nuclear safety research, and in direct response to Executive Order 12677, directing Federal agencies to find ways to increase participation of HBCUs in the programs of the Federal Government. In addition, the proposed research program takes advantage of the strong interest of HBCU institutions in increasing student involvement in research activities.

The purpose of this program is to stimulate research at HBCUs in the area of nuclear safety using cooperative agreements to reduce the financial and personnel burden to the institutions of initiating the research activity. Each research cooperative agreement should contain elements which will potentially benefit the undergraduate and graduate research programs of the institution, as well as show creativity in attracting support from the private sector to extend or expand the research activity.

The results of this program will—

- a. Broaden public understanding relating to nuclear safety;
- b. Pool the funds of theoretical and practical knowledge and technical information;
- c. Enhance protection of the public health and safety;

- d. Advance the development of human potential;
- e. Strengthen the capacity to provide quality education; and
- f. Ensure the long-term viability of HBCU institutions.

The NRC encourages HBCUs to submit research cooperative agreement proposals in the following areas:

1. Development of steady state and transient pump models for estimate code applications.
2. Advantages and disadvantages of cooling water addition to a degraded core.
3. Behavior of hot hydrogen while exiting a break in the primary pressure boundary.
4. Modeling and experimentation on two-phase flow, interfacial relations, and heat transfer in nuclear reactor coolant systems.
5. Evaluation of severe accident phenomena including: High temperature chemistry of fission product and reactor fuel and structural materials, advanced modeling of the behavior of fluids, combustible gases and molten core materials in reactor primary systems during severe accidents.
6. Advanced demographic models or statistical methods to predict population density and distribution around future power reactor sites.
7. Interaction of reactor materials at very high temperature (e.g., core/concrete, core debris/vessel component interactions).
8. Evaluation of the risk reduction effectiveness of human factors requirements in nuclear power plant operations and maintenance.
9. Methods for applying the growing pool of human performance data to nuclear power plant safety requirements.
10. Development of methods for Risk and Reliability Analysis of closed loop control systems, including advanced digital based control systems.
11. Develop and codify pragmatic, statistically valid, methods for updating severe accident frequency and consequence analysis to reflect results of new operational, experimental, and calculation data.
12. Develop merit of methods and procedures for establishing the degree to which Probabilistic Risk Assessment (PRA) results converge with operational data.
13. Development of methods to analyze and understand the aging effects, including irradiation damage effects, improved examination and testing methods for determining the condition of structures and components and methods to assess residual lifetime of structures and components.

14. Development of nondestructive testing methods for in-situ evaluation of material properties and property degradation due to aging, such as fracture toughness and fatigue.

15. Development of methods for assuring components structural reliability and realistic methods to define the probabilities of radioactive release due to earthquakes.

16. Development of methods for assuring integrity of the primary system, i.e., pressure vessels, piping, steam generator tubing, such as advanced nondestructive testing techniques, continuous monitoring techniques and fracture analysis procedures.

17. Development of methods to establish and validate decommissioning criteria and effects of water chemistry on the primary system integrity.

18. Development and/or validation of models to explain the tectonics of the Central and Eastern United States (east of 106 degrees W).

19. Development and/or validation of models to predict the propagation of seismic ground motions in the Central and Eastern States or in a shallow soil column.

20. Investigation/studies including field observations of the paleoseismicity of the Central and Eastern United States.

21. Development of rapid bioassay analysis techniques for application to accidental internal exposure situation.

22. Natural analog studies of long-term stability of waste forms for low-and high-level nuclear waste.

23. Studies of volcanism in the Basin and Range.

24. Simplified modeling of thermohydrologic phenomena in high-level waste geological repositories.

25. Investigations of coupled tectonic-hydrological processes.

26. Development of a continuum approach for modeling unsaturated fractured rock.

27. Development of improved instrumentation or techniques for measuring activities, radiation dose rates, especially from small radioactive particles.

28. Development of methods for contamination prevention, measurement, and control; and improved radiological air sampling methodology.

29. Investigation of the types, sensitivity, and linearity of various biological effects of radiation that could be used as biological dosimeters.

30. Research on the metabolism of radionuclides and their compounds relative to the calculation of internal dose.

31. Investigation of the efficacy of agents to protect against radioactivity.

Eligible Applicants

Historical Black Colleges and Universities are eligible to apply for a cooperative agreement under this announcement.

Factors Generally Indicating Support Through Cooperative Agreements

The NRC's benefit from the results of Cooperative Agreements should be no greater than for other interested parties, i.e., the public must be the primary beneficiary of work performed. Surveys, studies, or research which provide specific information or data necessary for the NRC to exercise its regulatory or research mission responsibilities will not be funded by a Cooperative Agreement. Applicants requesting support for work which has a direct regulatory application should submit their requests as an unsolicited proposal for consideration as a contract rather than a Cooperative Agreement.

1. The primary purposes of NRC Cooperative Agreements is to support the development of knowledge or understanding of the subject or phenomena under study.

2. The exact course of the work and its outcome are usually not defined precisely, and specific points in time for achievement of significant results do not need to be specified.

3. The NRC desires that the nature of the proposed investigation be such that the recipient will bear prime responsibility for the conduct of the research and exercise judgement and original thought toward attaining the scientific goals within broad parameters of the proposed research areas and the resources provided.

4. Meaningful technical reports (as distinguished from Semi-Annual Status Reports) may be prepared only as new findings are made, rather than on a predetermined time schedule.

5. Simplicity and economy in execution and administration are mutually desirable.

Proposal Format

Proposals should be concise and provide a thorough understanding of the proposed project. Neither unduly elaborate applications nor voluminous supporting documentation is desired.

HBCUs shall submit proposals utilizing the standard forms stipulated in OMB Circular A-110. (Attachment M).

The format used for project proposals should give a clear presentation of the proposed project and its relation to the specific objectives contained in this notice. Each proposal should follow the

format outlined below unless the NRC specifically authorizes exception.

1. Cover Page. The Cover Page should be typed to the following format (submit separate cover pages if the proposal is multi-institutional):

Title of Proposal—To include the term "research," "study," or other similar designation to assist in the identification of the project:

Names of Principal Researchers or Participants:

Total Cost of Proposal: (Identify Cost by Fiscal Year)

Period of Proposal:

Organization or Institution and Department:

Required Signatures:

Principal Participants:

Name: _____

Address: _____

Telephone No.: _____

Required Organization Approval:

Name: _____

Date: _____

Address: _____

Telephone No.: _____

Organization Financial Officer:

Name: _____

Date: _____

Address: _____

Telephone No.: _____

2. Project Description. Each proposal shall provide, in ten pages or less, a complete and accurate description of the proposed project. This section should provide the basic information to be used in evaluating the proposal to determine its priority for funding. Applicants must identify other possible sources of financial support for a particular project, and list those sources from which financial support has been or will be requested.

The information provided in this section must be brief and specific. Detailed background information may be included as supporting documentation to the proposal.

The following format shall be used for project description:

(a) Project Goals and Objectives

The project's objectives must be clearly and unambiguously stated. The proposal should justify the project including the problems it intends to clarify and the development it may stimulate.

(b) Project Outline

The proposal should show the project format and agenda, including a list of principal areas or topics to be addressed.

(c) Project Benefits

The proposal should indicate the direct and indirect benefits that the project seeks to achieve and to whom these benefits will accrue.

(d) Project Participants and Facilities

The proposal should describe the physical facilities required for the conduct of the project. Further, the proposal should include brief biographical sketches of individual's responsible for planning the project.

(e) Project Cost

As education institutions, HBCUs shall adhere to the cost principles set forth in OMB Circular A-21.

The proposal must provide a detailed schedule of projects costs, identifying in particular—

(1) Salaries—in proportion to the time of effort directly related to the project;

(2) Equipment (rental only);

(3) Travel and Per Diem/Subsistence in relation to the project;

(4) Publication Costs;

(5) Other Direct Costs (specify)—e.g., supplies or registration fees; (Note: Dues to organizations, federations or societies, exclusive or registration fees, are not allowed as a charge.)

(6) Indirect Costs (attach negotiated agreement/cost allocation plan); and

(7) Supporting Documentation. The supporting documentation should contain any additional information that will strengthen the proposal.

Proposal Submission and Deadline

The notice is valid for part of the Federal Government Fiscal Year 92 (March 30, 1992 to September 30, 1992). Potential cooperators are advised that due to the limited funding available, proposals received after April 20, 1992, may or may not be considered for funding in Fiscal Year 92. Mail the original and three copies.

FY92 Funds

For Fiscal Year 92, the U.S. Nuclear Regulatory Commission, Office of Small and Disadvantaged Business Utilization and Civil Rights, anticipates making a total \$150,000 available for funding research Cooperative Agreements to HBCU institutions. Because of the limited funds proposed Cooperative Agreements budgets should be restricted to no more than about \$50,000 per year, with total project funding not exceeding \$100,000 over a period of two years.

Evaluation Process

All proposals received as a result of this announcement will be evaluated by an NRC review panel.

Evaluation Criteria

The award of NRC Cooperative Agreements is discretionary. Generally, projects are supported in order of merit

to the extent permitted by available funds.

Evaluation of proposals for research projects will employ the following criteria. No level of importance is implied by the order in which these criteria are listed.

1. Adequacy of the research design.
2. Scientific significance of proposal.
3. Technical adequacy of the investigators and their institutional base.
4. Relevance to a research area(s) described above.
5. Reasonableness of estimated cost in relation to the work to be performed and anticipated result.
6. Potential benefit of the project to the overall benefit of the institution's undergraduate and graduate research program.

Disposition of Proposals

Notification of award will be made by the Grants (Cooperative Agreement) Officer and organizations whose proposals are unsuccessful will be so advised.

Proposal Instructions and Forms

Questions concerning the preceding information, copies of application forms, and applicable regulations shall be obtained from or submitted to U.S. Nuclear Regulatory Commission, Attn: Grants Officer, Division of Contracts and Property Management, Mail Stop P-841, Office of Administration, Washington, DC 20555.

Note: Cooperative Agreement Application packages. Standard Form 424 must be requested in writing.)

The address for hand-carried applications is: U.S. Nuclear Regulatory Commission, Attn: Grants Office, Division of Contracts and Property Management, Office of Administration, Mail Stop P-841, 7920 Norfolk Avenue, Bethesda, MD 20814.

Note: Upon delivery of the application to the NRC guard desk (at the above address), the guard should be requested to telephone the Division of Contracts and Property Management (Extension 27054) for a pick-up of the application.

Nothing in this solicitation should be construed as committing the NRC to dividing available funds among all qualified applicants.

Dated at Bethesda, MD this 13th day of February 1992.

For the U.S. Nuclear Regulatory Commission.

Ronald D. Thompson,
Grants Officer Property, Procurement and Grants Branch, Division of Contracts and Property Management.

[FR Doc. 92-4077 Filed 2-20-92; 8:45 am]

BILLING CODE 7590-01-M

Advisory Committee on Reactor Safeguards Subcommittee on Advanced Reactor Designs; Meeting

The ACRS Subcommittee on Advanced Reactor Designs will hold a meeting on February 26-27, 1992, at the Holiday Inn, 420 South Illinois Avenue, Oak Ridge, TN.

The entire meeting will be open to public attendance.

The agenda for the subject meeting shall be as follows:

Wednesday, February 26, 1992—8:30 a.m.—1 p.m.

Thursday, February 27, 1992—8:30 a.m. until the conclusion of business.

The Subcommittee will discuss the testing program for the MHTGR design and related issues.

Oral statements may be presented by members of the public with the concurrence of the Subcommittee Chairman; written statements will be accepted and made available to the Committee. Recordings will be permitted only during those sessions of the meeting when a transcript is being kept, and questions may be asked only by members of the Subcommittee, its consultants, and staff. Persons desiring to make oral statements should notify the ACRS staff member named below as far in advance as is practicable so that appropriate arrangements can be made.

During the meeting, the Subcommittee, along with any of its consultants who may be present, may exchange preliminary views regarding matters to be considered during the balance of the meeting.

The Subcommittee will then hear presentations by and hold discussions with representatives of NRC staff and their consultants, Department of Energy and their contractors, and other interested persons regarding this review.

Further information regarding topics to be discussed, the scheduling of sessions open to the public, whether the meeting has been canceled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by a prepaid telephone call to the Designated Federal Official, Dr. Medhat El-Zeftawy (telephone 301/492-9901) between 7:30 a.m. and 4:15 p.m. Persons planning to

attend this meeting are urged to contact the above named individual one or two days before the scheduled meeting to be advised of any changes in schedule, etc., that may have occurred.

Dated: February 14, 1992.

Sam Duraiswamy,
Chief, Nuclear Reactors Branch.

[FR Doc. 92-4078 Filed 2-20-92; 8:45 am]

BILLING CODE 7590-01-M

OFFICE OF MANAGEMENT AND BUDGET

Agency Form Under Review by the Office of Management and Budget

The Office of Management and Budget (OMB) has under review for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act, section 3504(h) (44 U.S.C. chapter 35). Notice of OMB review and a request for comments concerning this proposed collection of information was previously published by the Appalachian Regional Commission on December 28, 1991, (56 FR 66829).

Agency: Office of Management and Budget.

Title: President's Council on Integrity and Efficiency (PCIE) Survey on How to Improve the Single Audit Process.

Type of Request: Initial collection of information.

Burden: 425 respondents; 850 reporting hours.

Average Time Per Response: 2 hours.

Needs and Uses: This survey collects information on the Single Audit process and potential areas for improving the efficiency and effectiveness of audits of Federal financial assistance provided to State and local governments.

Affected Public: State and local governmental units, State auditors, and independent public accountants.

Frequency: One time.

Respondents Obligation: Voluntary.

Copies of the above information collection proposal can be obtained by calling or writing Palmer Marcantonio, Office of Management and Budget, Washington, DC 20503, (202) 395-3993.

Written comments and recommendations concerning the proposed information collection should be sent to Office of Information and Regulatory Affairs of OMB, Attention: Edward C. Springer, Office of

Management and Budget, Washington, DC 20503.

Darrell A. Johnson,

Assistant Director for Administration.

[FR Doc. 89-3983 Filed 2-20-89; 8:45 am]

BILLING CODE 3110-01-M

PEACE CORPS OF THE UNITED STATES

Information Collection Request Under OMB Review

AGENCY: Peace Corps of the United States.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 et seq.) this notice announces that the information collection request abstracted below has been forwarded to the Office of Management and Budget for review and is available for public review and comment. A copy of the information collection may be obtained from Mr. Michael Berning, Office of Recruitment Resources and Marketing, Peace Corps of the U.S., 1990 K Street, NW., Washington, DC 20526. Mr. Berning may be called at 202-606-3780. Comments on this form should be addressed to Ms. Francine Picoult, Desk Officer, Office of Management and Budget, Washington, DC 20503.

Information Collection Abstract

(1) *Title:* Follow-up and Program Evaluation Guide.

(2) *Need for and Use of the Information.*

(3) *Respondents:* Citizens who requested and were sent information and an application for Peace Corps service.

(4) *Burden on the public:*

a. *Annual reporting burden:* 1,137.4 hours.

b. *Annual recordkeeping burden:* 0 hours.

c. *Estimated average burden hours per response:* .0517 hours.

d. *Frequency of response:* on occasion.

e. *Estimated number of likely respondents:* 22,000.

Collins Reynolds,

Associate Director for Management.

[FR Doc. 92-4054 Filed 2-20-92; 8:45 am]

BILLING CODE 6051-01-M

Information Collection Request Under OMB Review

AGENCY: Peace Corps of the United States.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3502 et seq.), this notice announces that the information collection request abstracted below has been forwarded to the Office of Management and Budget for review and is available for public review and comment. A copy of the information collection may be obtained from Mr. Guy Branch, Office of Recruitment at the Peace Corps of the United States, 1990 K St., NW., Washington, DC 20526. Mr. Branch may be called at 202-606-3387. Comments on this information collection should be addressed to Mr. Marshall Mills, Desk Officer, Office of Management and Budget, Washington, DC 20503.

Information Collection Abstract

Title: Survey of Potential Volunteers: Withdrawals, and Defactos.

Need for and use of the information: Peace Corps needs this information in order to evaluate the effectiveness of its recruitment techniques and make adjustments as necessary.

Respondents: Potential Peace Corps Volunteers, Withdrawals (those who have applied and withdrawn their application), and Defactos (those who have applied and do not follow through with requirements).

Collins Reynolds,

Associate Director for Management.

[FR Doc. 92-4055 Filed 2-20-92; 8:45 am]

BILLING CODE 6051-01-M

RAILROAD RETIREMENT BOARD

Agency Forms Submitted for OMB Review

AGENCY: Railroad Retirement Board.

ACTION: In accordance with the Paperwork Reduction Act of 1980 (44 U.S.C. chapter 35), the Railroad Retirement Board has submitted the following proposal(s) for the collection of information to the Office of Management and Budget for review and approval:

SUMMARY OF PROPOSAL(S):

(1) *Collection title:* Certification Regarding Rights to Unemployment Benefits.

(2) *Form(s) submitted:* UI-45, UI-32.

(3) *OMB Number:* 3220-0079.

(4) *Expiration date of current OMB clearance:* Three years from date of OMB approval.

(5) *Type of request:* Extension of the expiration date of a currently approved collection without any change in the substance or in the method of collection.

(6) *Frequency of response:* On occasion.

(7) *Respondents:* Individuals or households, Businesses or other for-profit.

(8) *Estimated annual number of respondents:* 2,800.

(9) *Total annual responses:* 7,000.

(10) *Average time per response:* .1545 hours.

(11) *Total annual reporting hours:* 1,082.

(12) *Collection description:* In administering the disqualification for the voluntary leaving work provision of section 4 of the Railroad Unemployment Insurance Act, the Railroad Retirement Board investigates an unemployment claim indicating the claimant left work voluntarily. The certification obtains information needed to determine whether the leaving was with good cause.

ADDITIONAL INFORMATION OR

COMMENTS: Copies of the proposed forms and supporting documents can be obtained from Dennis Eagan, the agency clearance officer (312-751-4693). Comments regarding the information collection should be addressed to Ronald J. Hodapp, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611 and the OMB reviewer, Laura Oliven (202-395-7316), Office of Management and Budget, room 3002, New Executive Office Building, Washington, DC 20503.

Dennis Eagan,

Clearance Officer.

[FR Doc. 92-3990 Filed 2-20-92; 8:45 am]

BILLING CODE 7906-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. IC-19554; 612-7744]

Lifetime Gold & Precious Metals Trust, et al.; Application

February 14, 1992.

AGENCY: Securities and Exchange Commission ("SEC" or "Commission").

ACTION: Notice of Application for Exemption under the Investment Company Act of 1940 (the "1940 Act").

APPLICANTS: Lifetime Gold & Precious Metals Trust, Lifetime Intermediate Income Trust, Lifetime Money Market Trust, Lifetime Managed Municipal Bond Trust, Lifetime Government Income Plus Trust, Lifetime High Income Trust, Lifetime Capital Growth Trust, Lifetime Emerging Growth Trust, Lifetime Managed Sectors Trust, Lifetime Global Equity Trust, Lifetime Quality Bond Trust, Lifetime Total

Return Trust (the "Trusts"), and MFS Financial Services, Inc. ("FSI").

RELEVANT 1940 ACT SECTIONS: Exemption requested under section 6(c) from sections 2(a)(32), 2(a)(35), 22(c), and 22(d), and from rule 22c-1.

SUMMARY OF APPLICATION: Existing Commission orders permit applicants to assess a contingent deferred sales charge ("CDSC") on certain share redemptions, and to waive the CDSC with respect to certain other types of redemptions. Applicants seek an amended order permitting them to waive the CDSC for additional types of share redemptions, and to provide a credit for any CDSC paid by a shareholder who redeems shares of a Trust and then reinvests the proceeds in shares of a Trust within a specified period of time. The requested order would apply to the Trusts and to any other investment company advised by Lifetime Advisers, Inc. ("LAI").

FILING DATES: The application was filed on June 25, 1991, and amended on October 31, 1991, November 13, 1991, November 27, 1991, and February 5, 1992.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the SEC orders a hearing. Interested persons may request a hearing by writing to the SEC's Secretary and serving the applicants with a copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on March 10, 1992, and should be accompanied by proof of service on the applicants, in the form of an affidavit or, for lawyers, a certificate of service. Hearing request should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons may request notification of a hearing by writing to the SEC's Secretary.

ADDRESSES: Secretary, SEC, 450 Fifth Street, NW., Washington, DC 20549. Applicants, c/o Stephen E. Cavan, Esq., Massachusetts Financial Services Company, 500 Boylston Street, Boston, Massachusetts 02116.

FOR FURTHER INFORMATION CONTACT: C. Christopher Sprague, Senior Staff Attorney, at (202) 272-3035, or Max Berueffy, Branch Chief at (202) 272-3016 (Division of Investment Management, Office of Investment Company Regulation).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained for a fee from the SEC's Public Reference Branch.

Applicant's Representations

1. Each Trust is registered under the 1940 Act as an open-end management investment company, and operates as a business trust under the laws of the Commonwealth of Massachusetts. LAI and FSI serve as investment adviser and distributor, respectively, to each Trust. LAI and FSI are subsidiaries of Massachusetts Financial Services Company ("MFS"), which is a subsidiary of Sun Life Assurance Company of Canada (U.S.). MFS serves as investment adviser to each fund in the MFS family of funds.

2. In accordance with Investment Company Act Release Nos. 15555 (Jan. 28, 1987) and 16529 (Aug. 17, 1988) (the "Prior Orders"), applicants currently assess a CDSC upon shares of the Trusts redeemed within six years of purchase. The amount of the CDSC is determined by how long the shares being redeemed have been held. A CDSC of 6% of the net asset value of the shares at the time of purchase is imposed when such shares are redeemed within one year. For each additional year that the shares are held, the CDSC is reduced by 1%. Thus, no CDSC is imposed if shares held longer than six years are redeemed. The Prior Orders also permit the Trusts to waive the CDSC under a variety of circumstances.

3. If the requested relief is granted, the Trusts would continue to impose and waive the CDSC as described in the Prior Orders. The Trusts also would waive the CDSC under the following additional circumstances: (a) Distributions from a trust upon the death of a beneficiary; (b) distributions to a beneficiary from a retirement plan qualified under section 403(b) of the Internal Revenue Code of 1986, as amended, due to death, disability, or attainment of age 70½; (c) distributions to a beneficiary from any type of retirement plan due to death, disability, or attainment of age 70½ of a plan participant; (d) redemptions of shares of a Trust acquired as the result of a reinvestment of the proceeds of a redemption of shares of a fund in the MFS family of funds (an "MFS Fund") (except funds offered without the imposition of a front-end sales charge, presently Municipal Working Capital Trust and Massachusetts Cash Management Trust, and MFS Fund shares purchased subject to a CDSC) ¹

¹ Under a Commission order, certain of the MFS Funds impose a CDSC in lieu of a front-end sales load for purchases of \$1 million or more. Because the proceeds from a redemption of such MFS Fund shares may be reduced by the CDSC, the acquisition of Trust shares with the proceeds of such a redemption would not always be at relative net

where such reinvestment occurred within such number of days of the redemption of such shares of the MFS Fund as may be specified from time to time, in the applicable MFS Fund prospectus (currently thirty days and in no event fewer than thirty days); and (e) redemption of shares acquired as the result of the investment of distributions from one Trust into shares of another Trust.

4. Applicants also propose to amend the Prior Orders to permit them to provide a credit for any CDSC paid by a shareholder who redeems Trust shares, and then reinvests the proceeds in any Trust within such number of days as may be specified, from time to time, in each Trust's prospectus (which shall not be fewer than thirty days). The credit would be paid by FSI, the Trusts' distributor.

Applicants' Legal Analysis

1. The Prior Orders granted an exemption from the definition of redeemable security in section 2(a)(32) of the 1940 Act, the definition of sales load in section 2(a)(35), and the pricing provisions of section 22(c) and rule 22c-1 so that applicants could impose a CDSC.

2. The Prior Orders also granted an exemption from section 22(d) of the 1940 Act to permit certain waivers of the CDSC. Section 22(d) requires a registered investment company, principal underwriter or dealer in redeemable securities to sell those securities only at a current public offering price described in the company's prospectus. Subject to certain conditions, rule 22d-1 provides an exemption from section 22(d) allowing investment companies to charge different front-end sales loads to different classes of investors. Applicants now request an amendment extending the Prior Orders so that the Trusts may offer the CDSC waivers and CDSC credit in the circumstances described above. As in the Prior Orders, applicants will comply with rule 22d-1 as if the CDSC were a front-end sales load.

3. Applicants assert that the proposed waiver of the CDSC under the additional circumstances described above would be consistent with the protection of investors and the purposes fairly

asset value. Section 11(a) of the 1940 Act requires that offers of exchange at other than relative net asset value be approved by order or permitted by rule. Therefore, purchases of Trust shares with the proceeds of a redemption of MFS Fund shares subject to a CDSC are excluded from waiver category (d), which would apply only to transactions effected at the relative net asset value of the shares of the MFS Fund and the Trust.

intended by the policy and provisions of the 1940 Act. Applicants also believe that the exemptive relief sought would not harm the Trusts or their shareholders relief sought would not harm the Trusts or their shareholders, and would not discriminate unfairly among shareholders or purchasers.

4. The Prior Orders were granted prior to the proposal of rule 6c-10 under the 1940 Act, (see 53 FR 45275, Nov. 9, 1988), which would allow mutual funds to impose deferred sales loads, and would specify the manner of calculating such loads. If the requested order is granted, any imposition, waiver, or crediting of a CDSC by applicants would be done only in accordance with proposed rule 6c-10.

5. Applicants further submit that the proposed credit of the CDSC is in the interest of shareholders. This reinvestment privilege allows investors who erroneously redeemed or otherwise had second thoughts about having redeemed their shares to reinvest the proceeds without incurring the sales charge. Any variation in the reinvestment period for the CDSC credit or a CDSC waiver will comply with paragraph (a)(7) of proposed rule 6c-10, in that applicant will not shorten the reinvestment period for any outstanding shares. In addition, a shareholder will be entitled to the CDSC credit if he or she reinvests within the reinvestment period in effect at the time of redemption.

Applicants' Condition

If the requested order is granted, applicants will comply with the following condition:

1. Applicants will comply with the provisions of proposed rule 6c-10 under the 1940 Act, as it currently exists and as it may be repropose or adopted in the future.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 92-4046 Filed 2-20-92; 8:45 am]

BILLING CODE 8010-01-M

[Release No. IC-18553; 811-4737]

ProvidentMutual Tax-Free Moneyfund, Inc.; Notice of Application

February 14, 1992.

AGENCY: Securities and Exchange Commission ("SEC" or "Commission").

ACTION: Notice of application for deregistration under the Investment Company Act of 1940 (the "Act").

APPLICANT: ProvidentMutual Tax-Free Moneyfund, Inc.

RELEVANT ACT SECTION: Section 8(f).

SUMMARY OF APPLICATION: Applicant seeks an order declaring that it has ceased to be an investment company.

FILING DATES: The application on Form N-8F was filed on November 22, 1991, and amended on February 14, 1992.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the SEC orders a hearing. Interested persons may request a hearing by writing to the SEC's Secretary and serving the applicant with a copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on March 10, 1992 and should be accompanied by proof of service on the applicant, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons may request notification of a hearing by writing to the SEC's Secretary.

ADDRESSES: Secretary, SEC, 450 Fifth Street, NW., Washington, DC 20549. Applicant, Christiana Executive Campus, 220 Continental Drive, 4th Floor, Newark, DE 19713.

FOR FURTHER INFORMATION CONTACT: C. Christopher Sprague, Senior Staff Attorney, at (202) 272-3035, or Nancy M. Rappa, Branch Chief, at (202) 272-3030 (Division of Investment Management, Office of Investment Company Regulation).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained for a fee at the SEC's Public Reference Branch.

APPLICANT'S REPRESENTATIONS: 1. Applicant is an open-end, diversified management investment company organized as a Maryland corporation. On July 3, 1986, applicant registered under the Act, and registered an indefinite number of its common shares under the Securities Act of 1933. The registration statement was declared effective on September 28, 1986, and applicant began the initial public offering of its shares on October 13, 1986.

2. On December 14, 1990, applicant's board of directors, by unanimous vote, approved a Plan of Liquidation and Dissolution (the "Plan") providing for: (a) the cessation of applicant's operations as an investment company; (b) the liquidation of applicant's assets; (c) the distribution of applicant's assets to its stockholders after paying any

liabilities; and (d) the deregistration of applicant under the Act, after provision for expenses of \$2,072.72. The board voted to liquidate applicant based on its belief that applicant's asset base was too small in relation to its normal operating expenses to serve as a cost-effective investment for shareholders.

3. On January 17, 1991, applicant filed the definitive form of proxy materials concerning the Plan with the Commission. At a special meeting of shareholders on February 28, 1991, 1,566,609.84 out of the 1,896,924 shares outstanding on the record date voted in favor of the Plan.

4. As of the close of business on February 28, 1991, immediately preceding implementation of the Plan, applicant had 700,152.080 Class A common shares outstanding, having an aggregate net asset value of \$700,151.14, and a per share net asset value of \$1.00.

5. ProvidentMutual Management Co., Inc., applicant's investment adviser, or Sigma American Corporation, the adviser's parent, assumed all expenses associated with implementing the Plan.

6. Applicant filed Articles of Dissolution with the Maryland Department of Assessments and Taxation on September 25, 1991, and has been dissolved under Maryland law.

7. Applicant has no assets, debts, or liabilities, nor any securityholders. There are no securityholders of applicant to whom a distribution in complete liquidation of their interests has not been made.

8. Applicant has not, within the last 18 months, transferred any of its assets to a separate trust, the beneficiaries of which were or are securityholders of applicant.

9. Applicant is not a party to any litigation or administrative proceeding.

10. Applicant is not now engaged, and does not propose to engage, in any business activity other than that needed to windup its affairs.

For the Commission, by the Division of Investment Management, under delegated authority.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 92-4047 Filed 2-20-92; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 35-25476]

Filings Under the Public Utility Holding Company Act of 1935 ("Act")

February 14, 1992.

Notice is hereby given that the following filing(s) has/have been made with the Commission pursuant to provisions of the Act and rules

promulgated thereunder. All interested persons are referred to the application(s) and/or declaration(s) for complete statements of the proposed transaction(s) summarized below. The application(s) and/or declaration(s) and any amendments thereto is/are available for public inspection through the Commission's Office of Public Reference.

Interested person wishing to comment or request a hearing on the application(s) and/or declaration(s) should submit their views in writing by March 9, 1992 to the Secretary, Securities and Exchange Commission, Washington, DC 20549, and serve a copy on the relevant applicant(s) and/or declarant(s) at the address(es) specified below. Proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. Any request for hearing shall identify specifically the issues of fact or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in the matter. After said date, the application(s) and/or declaration(s), as filed or as amended, may be granted and/or permitted to become effective.

OLS Energy—Berkeley (70-7939)

OLS Energy-Berkeley ("Berkeley"), located at One Gatehall Drive, 3rd Floor, Parsippany, New Jersey 07054, an indirect subsidiary company of General Public Utilities Corporation ("GPU"), a registered holding company, has filed a post-effective amendment to its declaration under sections 6(a) and 7 of the Act.

By order dated August 1, 1989 (HCAR No. 24931), the Commission, among other things, authorized Energy Initiatives, Incorporated, a wholly owned indirect subsidiary company of GPU, to acquire through a newly formed, wholly owned subsidiary, Camchino Energy Corporation, general and limited partnership interests, aggregating a 50% interest, in OLS Power Limited Partnership ("Partnership"). The Partnership was authorized to acquire, directly or indirectly, all of the outstanding common stock of, among other companies, Berkeley.

Berkeley is the lessee of a qualifying cogeneration facility ("Facility") located in California. Prior to the acquisition, Berkeley entered into a revolving credit agreement ("Credit Agreement") with General Electric Capital Corporation ("GECC"), the owner of the Facilities, to provide for the short-term working capital requirements of the Facility.

By orders dated February 9, 1990, December 26, 1990 and July 12, 1991

(HCAR Nos. 25038, 25230 and 25348, respectively), the Commission authorized Berkeley to enter into amendments to its Credit Agreement to, among other things: (a) Increase the aggregate amount of the notes which may be outstanding thereunder; (b) extend the time during which notes may be outstanding thereunder; and (c) reduce the rate of interest payable on any notes outstanding. Berkeley issued a secured promissory note (the "Note") to GECC evidencing its borrowings under the Credit Agreement.

Berkeley now seeks authorization to borrow under its Credit Agreement and the Note issued thereunder, as amended, until December 31, 1992. Berkeley would use the proceeds from such borrowings for working capital and general corporate purposes.

Northeast Utilities (70-7954)

Northeast Utilities ("NU"), 174 Brush Hill Avenue, West Springfield, Massachusetts 01089, a registered holding company, has filed an application-declaration under sections 6(a), 7, 9(a), 10, and 12(c) of the Act and rules 12 and 50(a)(5) thereunder.

By order dated March 12, 1991 (HCAR No. 25271), the Commission authorized NU, pursuant to rule 62(d) of the Act, to solicit proxies from the holders of NU common shares for authority to issue up to 11 million additional common shares to an employee stock ownership plan ("ESOP") proposed to be established. At the annual meeting of shareholders held on May 21, 1991, the NU shareholders authorized the issuance of up to 11 million common shares to an ESOP. On December 3, 1991, pursuant to the Commission's order dated November 18, 1991 (HCAR No. 25411), NU sold approximately 7.6 million common shares to an ESOP established as part of an existing 401(k) employee benefit plan.

NU now proposes issuing up to the remainder of the 11 million common shares authorized for issuance by its shareholders to another ESOP ("ESOP II") established in connection with two existing defined contribution employee benefit plans ("Plans"). In this regard, NU seeks Commission authority, from time-to-time through December 31, 1992, to: (1) Issue and sell up to 3,391,305 additional common shares ("Additional Shares") to the ESOP II; (2) issue and sell long-term notes to institutions and/or to the public in an aggregate principal amount of up to \$75 million to provide loans to the ESOP II to fund the acquisition of the Additional Shares; (3) acquire notes in connection with loans to the ESOP II in an aggregate principal amount of up to \$75 million to fund the

acquisition of the Additional Shares; and (4) provide any guarantees that may be required in connection with borrowings directly obtained by the ESOP II to acquire such Additional Shares.

The Additional Shares will be acquired and held by the trustee for the ESOP II ("Trustee") directly from NU at a price not exceeding the fair market value of NU common shares at the time of purchase. To fund the acquisition of the Additional Shares, the Trustee will either borrow funds from NU and/or obtain independent debt financing in aggregate principal amounts not exceeding \$75 million. To the extent that NU provides loans to the ESOP II, it proposes to issue long-term notes in connection with borrowing such amounts from institutional lenders and/or to issue and sell long-term notes in the public markets pursuant to an indenture. In the same manner, and in the event that the Trustee obtains its own financing, it will also borrow from institutional lenders or in the public markets, and NU may be called upon to guarantee such borrowings in either circumstance.

Borrowings by NU or the Trustee would be within the following general parameters. The length of maturity would be no longer than 20 years, and the interest rate would be fixed based on the equivalent long-term U.S. Treasury Bond rate, plus no more than 250 basis points. The exact rate would be a function of the source, the length of maturity, the size of the ESOP II, the quality rating of the debt, prevailing market conditions and certain other non-financial terms and conditions. Based on current market conditions, it is anticipated that the interest rate on the debt would be 8 percent to 8.25 percent per annum.

Any lending from NU directly to the ESOP II would be under a loan agreement requiring NU to lend funds in one or more installments over a 12-month period, and for the Trustee to borrow such funds, in principal amounts not exceeding \$75 million. Borrowings from NU would be evidenced by notes issued by the Trustee, which will have maturities that generally reflect the maturities on the notes issued by NU as evidence of its debt, but not maturing in more than 20 years, and would be paid in one or more installments at an interest rate(s) that reflects the market rate obtained by NU at the time of the borrowing. The interest and principal payment provisions would comply with the Employee Retirement Income Security Act of 1974 and Internal Revenue Code provisions applicable to

the ESOP II. The principal amount of the loan or loans and the interest thereon would be repaid by the Trustee using cash dividends paid on the NU common shares held in participants' accounts under the plan and on the Additional Shares acquired by the ESOP II and, to the extent necessary, by periodic contributions to the ESOP II by NU subsidiaries that participate in the plan. Payments of principal and interest on the notes would permit the allocation of Additional Shares to participants' accounts under the Plans. The Trustee would pledge and grant to NU a security interest in all unallocated NU shares held by the Trustee as security for the debt obligation.

NU requests that the issuance and sale of the Additional Shares to the ESOP II, any issuance of notes by NU, and any guarantee by NU of the debt incurred by the ESOP II be excepted from the competitive bidding requirements of rule 50 pursuant to subsection (a)(5) thereunder, so that it may negotiate the terms and conditions of the transactions. This request is granted.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

Margaret H. McFarland,
Deputy Secretary.

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BILLING CODE 8010-01-M

TENNESSEE VALLEY AUTHORITY

Tennessee Valley Authority Act of 1933 and Public Utility Regulatory Policies Act of 1978; Modifications in Guidelines on Dispersed Power Production

AGENCY: Tennessee Valley Authority (TVA).

ACTION: Notice of modifications in TVA's Dispersed Power Production Guidelines.

SUMMARY: On April 20, 1981, TVA initially adopted a policy to encourage dispersed power production in the Tennessee Valley region and an interim program and guidelines to assist TVA and the distributors of TVA power in implementation of the policy. Subsequently, from time to time revisions in the guidelines have been made. The guidelines encompass cogeneration and small power production facilities included under sections 201 and 210 of the Public Utility Regulatory Policies Act of 1978 (Pub. L. 95-617). In light of changing power supply considerations, modifications have been made in these guidelines to,

among other things, provide more flexibility in contract and pricing arrangements for dispersed power production. Information about the proposed guideline modifications under consideration was printed in the *Federal Register* on May 18, 1991 (56 FR 22750). Public comment was invited and considered by the TVA Board in its adoption of the modified guidelines as had been proposed.

EFFECTIVE DATE: The effective date of the modified guidelines was September 10, 1991.

FOR FURTHER INFORMATION CONTACT: Sidney D. Reynolds, Tennessee Valley Authority, 1101 Market Street, SP 5E, Chattanooga, Tennessee 37402, (615) 751-7611.

SUPPLEMENTARY INFORMATION: The modifications reflect experience gained by TVA over several years with the administration of TVA's Dispersed Power Production Guidelines. They were necessary to provide TVA and the distributors of TVA power the flexibility to contract for dispersed power under terms that would be the most compatible with the TVA power system's needs.

TVA makes available a standard price schedule CSPP for purchases of output from qualified cogeneration and small power production facilities. This schedule as provided under the guidelines may be adjusted, modified, changed, or replaced by TVA from time to time. A copy of Dispersed Power Price—Schedule CSPP which reflects current avoided costs and became effective November 1991 is included as an attachment to the guidelines.

The CSPP Schedule currently reflects avoided energy costs but no avoided capacity costs since the generating units scheduled to come on line will cover our capacity needs into the next decade. In the future, TVA's capacity needs and the best available options to meet those needs will be determined through the TVA's integrated resource planning efforts.

Integrated resource planning entails an in-depth assessment of a broad range of alternatives and is used by TVA to carry out its responsibilities for assuring an ample supply of electric power for the region at the lowest feasible cost. This includes traditional supply-side options, demand-side management options such as conservation and dispersed power projects.

Those proposing projects that are ultimately selected as the most satisfactory for meeting capacity needs will have an opportunity to enter into contracts reflecting avoided capacity, as well as energy costs for the TVA

system. TVA will continue to enter into purchase arrangements reflecting TVA's avoided energy costs for energy from facilities not being utilized to supply capacity needs.

In addition to the existing standby power (SP) rate, which is a firm type of backup power, TVA is offering a new more flexible type of standby power which is available under Interruptible Standby Schedule ISP. This new type of standby power is priced similar to the power available under the Economy Surplus Power (ESP) arrangements and will be for use by small power producers and cogenerators as backup for their generators to the extent it is used internally.

The modified TVA Dispersed Power Production Guidelines appear in the appendix to this document.

Dated: February 9, 1992.

Mary Sharpe Hayes,
President, Customer Group.

Appendix—Dispersed Power Production Guidelines

These guidelines are intended to assist TVA and the distributors of TVA power in developing arrangements for the effective utilization of dispersed power production in the Tennessee Valley. TVA develops and administers these guidelines which are applicable for purchases by TVA and by distributors of TVA power from dispersed power production facilities and for utilization of dispersed power production on the region's power system. The guidelines may be modified by TVA from time to time as it deems appropriate.

- A. Definitions
- B. Generation From Qualified Facilities
 1. Disposition of Power from Qualified Facilities
 2. Purchase Price for Power from Qualified Facilities
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4. Compliance with Safety, System Protection, and System Operating Guidelines

Attachment A—Dispersed Power Price—Schedule CSPP

Attachment B—Standby Power Rate—Schedule SP

Attachment C—Wholesale Standby Power Rate—Schedule WSP

Attachment D—Supplemental Safety, System Protection, and System Operating Guidelines Applicable to Owners of Qualified or Authorized Facilities

A. Definitions

For purposes of these guidelines, the following terms (whether in the singular or plural) shall have the following meanings:

1. *Qualified Facility* shall be either a cogeneration or small power production facility which meets the qualifications set out in Federal Energy Regulatory Commission (FERC) Rules (18 CFR 292).

2. *Qualified Producer* shall be any entity, other than a Distributor as hereinbelow defined, who owns and operates a Qualified Facility and meets the qualifications set out in FERC Rules (18 CFR 292).

3. *Distributor* shall be an electric cooperative or municipal electric system or department that purchases and distributes electric power and energy to consumers pursuant to a wholesale power contract with TVA.

4. *Authorized Facility* shall be either a cogeneration or small power production facility which (a) is owned by a Distributor and (b) meets the qualifications set out in FERC Rules (18 CFR 292), with the exception of criteria set out in such rules limiting electric system participation in facility ownership.

5. *TVA Area* shall be the area within which TVA or the Distributors are a source of power supply under the provisions of the TVA Act.

6. *Standard Purchase Price Schedule* shall be the attached Dispersed Power Price—Schedule CSPP (Attachment A), as it may be adjusted, modified, changed, or replaced by TVA from time to time.

7. *Alternative Purchase Prices* shall be any purchase prices agreed upon by TVA for purchases by TVA (and as agreed upon by TVA and a Distributor for Distributor's purchase) as alternative prices to those set forth in the Standard Purchase Price Schedule. In developing Alternative Purchase Prices, consideration will be given to such factors as TVA's current and projected avoided energy costs and any projected capacity costs, dispatchability, maintenance scheduling, administrative and billing requirements, variations in line losses, curtailment rights during

periods when deliveries would increase operating costs on the TVA system, and reliability of output from the power production facility during TVA onpeak load periods. Alternative Purchase Prices may include prices (or components of prices) that are fixed for all or some portion of the contract term.

B. Generation From Qualified Facilities

1. *Disposition of Power from Qualified Facilities*

A Qualified Producer may either (a) use all of the output of its Qualified Facility to supply its own requirements, (b) use a portion of said output to supply its own requirements and sell the surplus to the local Distributor or TVA, or (c) sell the entire output of the Qualified Facility to the local Distributor or TVA.

2. *Purchase Price for Power From Qualified Facilities*

a. Qualified Producers with Qualified Facilities located within the TVA Area and those Qualified Producers with Qualified Facilities located outside the TVA Area that make arrangements with connecting utility systems (or are otherwise able to deliver their output to the power system of TVA or a Distributor) may make arrangements to sell their output to TVA or a Distributor (i) under the then-available Standard Purchase Price Schedule, or (ii) for those Qualified Producers with Qualified Facilities who contract to provide 500 kW or more of capacity from a production facility, under Alternative Purchase Prices.

b. The amounts payable under the Standard Purchase Price Schedule or under Alternative Purchase Prices may be modified, as appropriate, to reflect costs incurred by TVA or the Distributor in connection with the purchase, which costs may include, but are not limited to, administrative costs, metering costs, and the costs of transmission line losses.

3. *Security Requirements for Qualified Facilities*

In recognition that TVA systemwide avoided costs are utilized to determine the purchase price for the output from Qualified Facilities and that there is a risk of loss to the TVA power system if the Qualified Producer fails to deliver the power and energy provided for under contract, contractual arrangements with the Qualified Producer shall include appropriate provisions to minimize such risks. Such provisions may include payment of damages, return by the Qualified Producer of a portion of the payment amounts it has received from TVA or

Distributor, setoffs against amounts to be paid to the Qualified Producer, and the establishment of security to be provided by the Qualified Producer. Such security may be a performance bond, a bank letter of credit, or other measures of security in such form, or combination of forms, and amount as deemed sufficient by TVA (and the local Distributor in situations where it is to purchase the output). In such situations, the contractual arrangements will also provide that the security will be for the benefit of TVA and that amounts to be repaid which reflect the electric system loss due to a Qualified Producer's deficiencies in delivering its output, as compared with contract terms and requirements, will be paid to TVA.

4. *Purchase of Power by TVA*

a. Arrangements for sale to TVA of any of the output of a Qualified Facility will be subject to the provisions of a purchase contract between the Qualified Producer and TVA and shall be subject to all applicable provisions of these guidelines.

b. If a Qualified Facility is to be connected to a Distributor's system but the Qualified Producer has elected to sell the output to TVA, it shall be the Qualified Producer's responsibility to make appropriate arrangements with the Distributor for use of the Distributor's system for transmitting such output to TVA. Under such an arrangement, the Qualified Producer will reimburse the Distributor for any additional transmission, distribution, and administrative costs that the Distributor incurs as a result of such purchases by TVA from the Qualified Producer. The amount of any such payments by the Qualified Producer will be determined by the Distributor in consultation with TVA taking into consideration such factors as operation and maintenance of the Distributor's facilities, changes in the Distributor's transmission and distribution losses, and meter reading and billing costs.

5. *Purchase of Power by Distributor*

a. If the Qualified Producer elects to sell all or a portion of the output of its Qualified Facility to a Distributor, arrangements for the sale will be subject to the provisions of a purchase contract between the Qualified Producer and the Distributor and shall be subject to all applicable provisions of these guidelines. The purchase contract plus all supplements and amendments thereto shall be subject to the approval of TVA before becoming effective.

b. For purchases made by a Distributor from a Qualified Producer,

appropriate adjustments will be made by TVA (unless it is not economically and administratively feasible) in the Distributor's wholesale power bill so that the Distributor pays to TVA for power and energy taken from TVA and the Qualified Producer, as if all such power and energy had been supplied by TVA under the wholesale power contract. The Distributor will receive a credit on such wholesale power bill equal to the actual payments made by the Distributor to the Qualified Producer for power and energy.

c. In the event that a Distributor's contract with a Qualified Producer includes provisions for the availability of standby power to the Qualified Producer, the contractual arrangements between TVA and the Distributor making such power available will include provisions for appropriate adjustments in the Distributor's wholesale power bill reflecting the additional costs imposed on the TVA power system resulting from the provision of standby power.

6. Availability of Power to Qualified Facility Within the TVA Area

a. If requested by the Qualified Producer, contractual arrangements involving a Qualified Facility within the TVA Area shall include the availability to the Qualified Producer of maintenance and emergency standby power at the applicable standby power charges, which power is currently provided under the provisions of the Standby Power Rate—Schedule SP (Attachment B), as adjusted, modified, changed, or replaced from time to time by TVA as it deems appropriate to reflect changes in the costs of providing such power. (A form of interruptible standby power, or ISP, is also available for internal use by a Qualified Producer.) The Qualified Producer will be required to bear the costs of any additional facilities necessary to provide such standby power.

b. Contractual arrangements involving a Qualified Facility within the TVA Area may also include the supply to the Qualified Producer of such of its power requirements as it may request under applicable terms and conditions, including power rates, as power is supplied to electric power customers in the area for the same customer classification as the Qualified Facility.

c. It shall be clearly understood (i) that it shall be the responsibility of the Qualified Producer to contract for its maximum expected power requirements, (ii) that neither TVA nor any of the Distributors will be obligated to supply power in greater amounts than the amount contracted, and (iii) that neither

TVA nor any of the Distributors will contract or otherwise become obligated to sell power to any Qualified Producer not located within the TVA Area.

7. Additional Requirements

All Qualified Producers with Qualified Facilities must comply with the additional applicable requirements set out in Section D.

C. Generation From Authorized Facilities

1. Development of Authorized Facilities and Related Activities

a. Distributors will be permitted to develop, own, and operate facilities that meet the criteria for an Authorized Facility except that, without prior approval from TVA, Distributors will not undertake the construction or acquisition of a production facility that either:

i. Has design production capacity exceeding 80 MW for any individual facility or any amount of capacity that would cause the aggregate production capacity of all production facilities owned by the Distributor to exceed 10 percent of the Distributor's peak capacity requirements projected for the year in which the proposed facility is to become operational; or

ii. Has ongoing annual revenue requirements which, in the event of facility failure, will cause the projected ongoing annual revenue requirements for all Authorized Facilities of the Distributor to exceed 10 percent of the Distributor's projected annual net revenues from its electric operations (resale electric revenue less total power supply cost) during any year after the proposed facility is to become operational.

b. Distributors are permitted to use up to 2 percent of their annual net revenues (resale electric revenue less wholesale power cost) for research and demonstration activities, including the evaluation of proposed production facilities. Activities requiring aggregate expenditures above this amount are subject to prior review and approval by TVA.

c. In seeking TVA's prior approval of any proposed project or research and demonstration activity that exceeds the limitations in subsections C.1.a. and C.1.b. above, it will be the responsibility of the Distributor to notify TVA in writing of the proposed undertaking and to provide TVA with such data and information as TVA might reasonably request for the purpose of evaluating the technical and financial feasibility of the proposed project or activity. TVA will endeavor to respond within 90 days

from the date that the Distributor submits such notice and information to TVA.

d. Distributors will provide TVA with reasonable advance notice of all power production facilities that either the Distributors or their customers plan to acquire and operate and will coordinate with TVA the development of any necessary power supply and operating arrangements. Additionally, after such facilities commence operations, the Distributors will be responsible for notifying TVA promptly of any anticipated change in the capability of such production facilities to continue to supply power.

2. Disposition of Power From Authorized Facilities

A Distributor owning and operating an Authorized Facility may either (a) use all of the output thereof to supply a portion of its power system requirements, (b) use of portion of said output to supply a portion of its power system requirements and sell the surplus to TVA, or (c) sell the entire output of the Authorized Facility to TVA.

3. Purchase Price for Power From Authorized Facilities

a. A Distributor may elect either to sell TVA the output of the Authorized Facility (i) under the then-available Standard Purchase Price Schedule, or (ii) if the Authorized Facility will be used to supply at least 500 kilowatts of capacity to TVA, under Alternative Purchase Prices.

The amounts payable to a Distributor under the Standard Purchase Price Schedule or under Alternative Purchase Prices may be modified, as appropriate, to reflect costs incurred by TVA in connection with the purchase, which costs may include, but are not limited to, administrative costs, metering costs, and the costs of transmission line losses.

4. Security Requirements for Authorized Facilities

In recognition that there is a risk of loss to the TVA power system if the Distributor fails to deliver power and energy provided for under contract, the contractual arrangements with the Distributor shall include appropriate provisions to minimize such risks. Such provisions may include payment of damages, return by the Distributor of a portion of the payment amounts it has received from TVA, setoffs against amounts to be paid to the Distributor, and the establishment of security to be provided by the Distributor. Such security may be a performance bond, a bank letter of credit, or other measures

of security in such form, or combination of forms, and amount as deemed sufficient by TVA.

5. Contract Requirements for Distributors

Arrangements for the sale to TVA of any of the output of an Authorized Facility will be subject to the provisions of a purchase contract between the Distributor and TVA and shall be subject to all applicable provisions of these guidelines.

6. Purchases of Power From TVA

a. A Distributor providing a portion of its power system requirements from an Authorized Facility, or through purchases from one or more Qualified Producers pursuant to these guidelines, shall obtain the remainder of its power system requirements from TVA in accordance with the provisions of its wholesale power contract with TVA, including the wholesale rates provided for therein.

b. A Distributor owning an Authorized Facility and using the output thereof to provide a portion of its power system requirements shall purchase standby power from TVA at the applicable standby power charges, which power is currently provided under the provisions of Wholesale Standby Power Rate—Schedule WSP (Attachment C), as adjusted, modified, changed, or replaced from time to time by TVA as it deems appropriate to reflect changes in the costs of providing such power. The Distributor will also be required to bear the costs of any additional facilities necessary to provide such standby power.

7. Additional Requirements

All Distributors with Authorized Facilities must comply with the additional applicable requirements set out in Section D.

D. General Provisions Applicable for Arrangements Involving any Qualified or Authorized Facility

1. Temporary Curtailments

The Qualified Producer's right to sell power to the Distributor or TVA, or in the case of an Authorized Facility, the Distributor's right to sell power to TVA, may be subject to temporary curtailments during system emergencies and when, as a result of operational circumstances, the delivery of such power will interfere with the safe

operation of TVA's and/or Distributor's respective power systems.

2. Responsibility for Interconnection, Transmission, and Metering Costs

a. A Qualified Producer with a Qualified Facility will be required to pay TVA and the local Distributor for any additional transmission or distribution costs (including the costs of metering, system protection, safety equipment, administrative costs, and transmission line losses) to the extent that any such costs are in excess of those that TVA and the local Distributor would have incurred if the Qualified Facility had not been installed. In the case of an Authorized Facility, the owning Distributor will be responsible for any such costs to TVA. If a Qualified or Authorized Facility is capable of producing in excess of 15,000 kW, the Qualified Producer or Distributor owner, as the case may be, may be required to provide telemetering facilities to supply information on the power output of its facility to the purchasing electric system (and to TVA when a Distributor is the purchasing electric system).

b. Existing customers of a Distributor or TVA that subsequently install Qualified Facilities may also be required to compensate the Distributor and TVA for the unamortized costs less salvage value of any existing transmission or distribution facilities that are rendered surplus by changes in the customer's supply requirements. When such surplus facilities are severable from the electric systems, the Qualified Producer will have the option of taking possession of the severable facilities in lieu of receiving any credit for salvage value.

c. A Distributor that operates an Authorized Facility may be required to compensate TVA for the unamortized costs less salvage value of any existing transmission or distribution facilities owned by TVA that are rendered surplus by any reduction in the Distributor's supply requirements from TVA. When such surplus facilities are severable from TVA's system, the Distributor will have the option of taking possession of the severable facilities in lieu of receiving any credit for salvage value.

d. The Qualified Producer or Distributor owner, as the case may be, at its expense, shall be responsible for installing, owning, operating, and maintaining all electrical equipment associated with its facility and necessary for the protection of such equipment up to the point of connection with the connecting electric system to which the proposed facility's output will be delivered, including furnishing the

equipment necessary to connect the facility to the electric system lines. The connecting electric system shall make the connection and the reimbursement for this cost shall be made by the Qualified Producer or Distributor owner of the facility.

3. Parallel Operation

All Qualified Producers and Distributors (that operate Authorized Facilities) that desire to operate their production facilities in parallel with the connecting electric system of TVA or a Distributor, as the case may be, will be required to execute contractual agreements with the connecting electric system.

4. Compliance With Safety, System Protection, and System Operating Guidelines

All Qualified Producers and Distributors with Authorized Facilities will be required to comply with the applicable safety, system protection, and system operating guidelines set out in Attachment D, as they may be modified or revised by TVA from time to time.

Attachment A—Dispersed Power Price Schedule CSPP

November 1, 1991.

Availability

This schedule shall apply to purchases by TVA, or by distributors of TVA power, from cogeneration and small power production facilities which are qualified, operated, and maintained in accordance with the guidelines for TVA's Dispersed Power Production Program.

Character of Purchased Power

Alternating current, single, or three-phase, 60 hertz. Power will be purchased at the highest voltage available in the vicinity or other voltage agreed to by the purchasing electric system.

Standard Prices

Part A

Price for power and energy when no time-differentiated metering is utilized.

All kilowatthours per month at 1.740 cents per kWh.

Part B

Price for power and energy when time-differentiated metering is utilized.

All onpeak kilowatthours per month at 1.880 cents per kWh.

All offpeak kilowatthours per month at 1.660 cents per kWh.

Revisions.

All of the above prices are subject to revision by TVA annually to reflect, as TVA deems appropriate, TVA's then current projections of avoided energy costs and avoided capacity costs, if any, for the next annual period in which the power and energy is to be supplied.

Determination of Onpeak and Offpeak Hours

Except for Saturdays and Sundays and the weekdays that are observed as Federal holidays for New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day, onpeak hours for each day shall be 10 a.m. to 10 p.m. during calendar months of May through September and from 6 a.m. to 12 noon and from 4 p.m. to 10 p.m. during all other calendar months. All other hours of each day and all hours of such excepted days shall be offpeak hours. Such times shall be Central Standard Time or Central Daylight Time, whichever is then in effect. The onpeak and offpeak hours under this price schedule are subject to change by TVA. In the event TVA determines that such changed onpeak and offpeak hours are appropriate, it shall so notify producers supplying power to TVA hereunder and distributors at least 12 months prior to the effective date of such changed hours, and the distributors shall promptly notify producers supplying power to them hereunder.

Contract Requirement

Contracts are required for purchases hereunder. For purchases under Part A and Part B above, contracts shall extend for a term of not less than one year, provided however that they may be cancelled by the producer upon not less than 90 days' advance written notice to the purchasing electric system.

Payment

Representatives of TVA or distributor shall on a monthly basis read the meters at the point of delivery and provide the owner of the qualified facility with a detailed accounting of the amount of power and energy supplied (including, as appropriate, metered amounts during onpeak and offpeak periods) as determined by TVA or distributor. From these readings, calculations will be made to determine the amount to be paid for power and energy supplied by the qualified facility, and payment will be rendered promptly to the owner of the qualified facility in accordance with the terms of the contract.

Attachment B—Standby Power Rate—Schedule SP

September 10, 1991.

Availability

Available for small power producers and cogenerators within the TVA Area that qualify under TVA's Dispersed Power Production Program and that elect to purchase standby service for scheduled maintenance and emergency standby power supply. Service is subject to notice and scheduling requirements set out in the contract.

Character of Standby Service

Alternating current, single or three-phase, 60 hertz. Power supplied shall be delivered at the highest voltage available in the vicinity, unless at the customer's request a lower standard voltage is agreed upon.

Standby Power Charges**Reservation Charges:**

\$1.20 per month per kilowatt of customer's standby contract demand; plus
\$0.48 per month per kilowatt of aggregate production capacity of customer's facilities.

Demand Use Charges:

\$2.41 per week per kilowatt of maintenance standby power prescheduled by customer; plus
\$4.82 per week per kilowatt of emergency standby power used by customer.

Standby demand use charges will be prorated on a daily basis for periods of less than one week. All energy deemed to be taken with standby power will be billed as firm energy at the charges applicable under the standard general power rate schedule available for service to the customer. (For customers for whom firm power is also being made available, the amounts of standby power scheduled or taken will be subtracted from the customer's measured demand during such periods for purposes of determining the customer's billing demand for firm power.)

The above reservation and demand use charges may be increased or decreased by TVA, effective with the effective date of any Adjustment Addendum published by TVA or any rate change, to reflect changes in the cost of standby service.

Facilities Rental

There shall be no facilities rental charge under this rate schedule for delivery at bulk transmission voltage levels of 161 kV or higher. For delivery at less than 161 kV, there shall be added

to the customer's bill a facilities rental charge. This charge shall be 36 cents per kW per month except for delivery at voltages below 46 kV, in which case the charge shall be 93 cents per kW per month for the first 10,000 kW and 73 cents per kW per month for the excess over 10,000 kW. Such charge shall be applied to the customer's then-effective standby contract demand except that, for a customer for whom firm power is also being made available, and whose firm power takings are also subject to facilities rental charges under the provisions of the standard general power rate schedule, calculations for determining the facilities rental charges for firm power and for standby power shall be made as follows. The standby contract demand will be added to the higher of (1) the highest billing demand for firm power established during the latest 12-consecutive-month period or (2) the customer's then-effective firm contract demand; and the amounts in cents per kW set out above shall be applied to the total. The facilities rental charge shall be in addition to all other charges under this rate schedule. Such amounts in cents per kW may be increased or decreased by TVA, effective with the effective date of an Adjustment Addendum published by TVA or any rate change, to reflect changes in the costs of providing for delivery at voltage levels below 161 kV.

Contract Requirement

Customers to whom this rate schedule is applicable shall be required to execute contracts, and such contracts shall be for a term not to exceed 10 years.

Payment

Bills under this rate schedule will be rendered monthly. Any amount of bill unpaid after due date specified on bill may be subject to additional charges under Distributor's standard policy.

Single Point Delivery

The charges under this rate schedule are based upon the supply of standby service through a single delivery and metering point, and at a single voltage. If service is supplied to the same customer through more than one point of delivery or at different voltages, the supply of service at each delivery and metering point and at each different voltage shall be separately metered and billed under this rate schedule.

Service is subject to Rules and Regulations of the Distributor and to guidelines applicable under TVA's Dispersed Power Production Program.

Attachment C—Wholesale Standby Power Rate—Schedule WSP

September 10, 1991.

This schedule is applicable to distributors of TVA power which elect, in accordance with TVA's Dispersed Power Production Guidelines, to use the output of their own authorized production facilities (hereinafter called "Units") to reduce their power supply requirements from TVA. All charges under this schedule are in addition to the charges provided for under the wholesale power rate schedule, and the provisions of said wholesale power rate schedule are in no way affected by this schedule.

Standby Power Reservation Charge

For each month, whether or not standby power is taken, Distributor shall pay a monthly standby power reservation charge calculated as provided below.

\$8.86 (100 percent—CF) (Capacity—Standby Power Use) per month, where

CF=Capacity factor (expressed as a percentage) for all Units which is determined by TVA by dividing the expected annual energy generation for all Units by the maximum annual energy generation (equal to 8,760 hours times the Capacity) for all Units; and

Capacity=The aggregate production capacity in kW of all Units; and
Standby Power Use=The kW amount by which Distributor's billing demand (as determined under the wholesale power rate schedule) exceeds its firm demand.

Distributor's firm demand shall be the kW amount by which its maximum system requirement in a month exceeds the aggregate production capacity of all Units. Distributor's system requirement shall be determined on a simultaneous basis. For any 60-consecutive-minute period of the month, the system requirements shall be the sum of (a) the average demands measured in kW in such period for all delivery points to Distributor and (b) the average generation measured in kW in such period for all Units, and the highest such system requirement for any month shall be the maximum system requirement for the month.

Adjustments and Changes

The above standby reservation charge may be increased or decreased by TVA, effective with the effective date of any Adjustment Addendum published by TVA or any rate change, to reflect

changes in the cost of providing standby power.

Attachment D—Supplemental Safety, System Protection, and System Operating Guidelines Applicable to Owners of Qualified or Authorized Facilities

These requirements shall be applicable to assure system safety and reliability of interconnected operations. The adequacy of safety and system protection facilities for interconnection with producers as provided herein will be determined by TVA and, as appropriate, by the Distributors but only insofar as necessary to determine the compatibility of such facilities with the connecting electric system. TVA and the Distributors will apply such other safety and system protection requirements as may be determined to be appropriate.

It is recommended that the connecting electric system, TVA or the Distributor, emphasize to prospective producers the importance of discussing plans with the connecting electric system before purchasing or installing equipment.

1. Fault Protection

a. Adequate protection facilities shall be provided by the owner to protect the connecting electric system from fault currents originating from the production facility. The owner will provide adequate fault current interruption capability with secondary relaying and control circuits.

b. It shall be the responsibility of the owner to provide adequate protection for its production facility from fault currents originating on the connecting electric system because of a fault in the production facility.

2. Overvoltage and Undervoltage

a. It shall be the responsibility of the owner to provide adequate protection or safeguards to prevent damage to the connecting electric system caused by overvoltage originating from the operation of the production facility.

b. It shall be the responsibility of the owner to provide adequate protection of its production facility from overvoltages originating on the connecting electric system.

c. It shall be the responsibility of the owner to provide facilities adequate to prevent the production facility from being damaged by undervoltage conditions on the connecting electric system.

3. Synchronization and Isolation

a. The owner shall provide adequate facilities for the proper synchronization of its production facility with the connecting electric system such that

synchronism is accomplished, either manually or by automatic means, without causing undesirable currents or voltages (including current surges and voltage fluctuations) on the connecting electric system.

b. The owner shall provide means for properly disconnecting the production facility from the connecting electric system for system line interruptions, for occasions when the connecting electric system becomes isolated from its source of generation, and for the proper resynchronization of the production facility after such interruptions or isolation. Rapid restoration of service following a temporary interruption using automatic circuit breaker reclosing is a standard utility practice.

c. To provide assurance that the connecting electric system cannot be energized from the production facility during outages on the connecting electric system, the owner of the production facility must provide equipment for manually disconnecting and isolating the production facility. This will help provide safety for the connecting electric system's employees performing emergency repairs or routine maintenance to its lines. Such equipment must be capable of preventing the production facility from energizing the system's lines and must include a device (or devices) which can be locked so as to visually show isolation of the production facility to prevent all means of backfeed into the connecting electric system.

d. The owner may install generating facilities to supply a portion of its load without operating its generating facilities in parallel with the electric system. In these instances, the owner must verify to the electric system that the switches used for transferring the load from the electric system lines to the onsite generation facilities will meet the electric system's requirements for nonparallel operation. Also, the owner must verify there is no possibility of backfeed to the electric system's lines. If it is found that the generating facilities can backfeed, the facilities must meet the requirements for parallel operation.

4. Grounding

The facilities (generator, connecting transformer, etc.) that connect to the electric system must be grounded in such a way that coordination is maintained with the relay protection system in use by the connecting electric system, and the connected facilities will be protected from deleterious voltages during fault conditions.

5. Harmonics

a. Adequate design precautions must be taken by the owner to prevent excessive and deleterious harmonic voltages or currents caused by the production facility from occurring on the connecting electric system.

b. The production facility must be designed to operate with normal harmonic voltages and currents that originate from the connecting electric system.

6. Reactive Power

The production facility shall be operated to supply appropriate amounts (as hereinafter described) of reactive power during onpeak hours and to supply no reactive power, or to consume appropriate amounts (as hereinafter described) of reactive power during offpeak hours. The specific reactive power requirements to be met by the production facility will be determined by the connecting electric system, taking into consideration such factors as production facility size and equipment design limitations, electric system voltage levels, and other conditions on the electric system. If the production facility is unable to meet such requirements due to equipment design or other such limitations for which reasonable corrective measures cannot be taken by the producer, the connecting electric system, as it deems necessary, may provide the required reactive power at the expense of the owner of the production facility.

The connecting electric system reserves the right to install metering equipment or to make periodic tests to determine the reactive power flows to or from the owner's production facility and to mutually agree with the owner of the production facility to requirements differing from those described in the above paragraph. The onpeak hours and offpeak hours referred to above are the same as those provided in the then-effective standard price schedule.

7. Voltage Regulation

The owner shall provide necessary voltage regulation equipment to prevent the production facility from causing excessive voltage variation on the connecting electric system. The voltage variation caused by the production facility must be within ranges capable of being handled by the voltage regulation facilities used by the connecting electric system.

8. Voltage Flicker

The voltage surges caused by the operation, synchronization, or isolation of the production facility shall be within

the standards of frequency of occurrence and magnitude established by the connecting electric system.

9. Voltage Balance

a. The voltage produced by the production facility must be balanced if it is a 3-phase installation. The waveform must be sinusoidal and compatible with the operation of the connecting electric system.

b. The owner will be responsible for protecting its production facility from inadvertent phase unbalance or single phasing in the connecting electric system's voltage.

10. Operational Oversight

a. The owner will be responsible for operating its production facility in a manner that will not cause undesirable or harmful effects to the connecting electric system or its other customers.

b. The owner will not begin initial operation of the production facility until it has received written approval from the connecting electric system. This approval shall not be construed as confirming or endorsing the design or as any warranty of safety, durability, or reliability of the production facility equipment.

c. The owner shall supply the connecting electric system with diagrams and specifications describing the production facility and related interconnection, operation and protective equipment and any proposed changes to the aforesaid facilities. These diagrams and specifications shall be consistent with good engineering practice and shall specify the equipment to be used (relays, breakers, transformers, generators, etc.) by manufacturer, model, type, size, impedance, and other pertinent information.

For any production facility with output greater than 1,000 kw, the control and protective equipment used by the owner shall be utility class and shall conform to the latest revision of ANSI/IEEE C37.90, IEEE Standard Relays and Relay Systems Associated with Electric Power Apparatus. Specifications and/or instruction manuals for such control and protective equipment shall be made available by the owner upon request by the connecting electric system.

d. The connecting electric system shall have the right at any time to inspect and test the operation of any control and protective equipment owned and maintained by the owner.

e. If, subsequent to initial operation, a production facility is unable to comply with the provisions for safety, system protection, and production facility operation contained in this Attachment

D, or is otherwise operated in an unsafe manner, the production facility may be disconnected from the connecting electric system until the problem has been corrected.

11. Metering

The type of metering and associated equipment shall be determined by the connecting electric system (and purchasing electric system, if different). Selection of metering arrangements will be based upon the lowest cost for equipment and arrangements that will also meet the electric systems' reasonable data requirements. Operation, maintenance, and testing of the metering equipment may be required from time to time by the electric systems. When tests are requested by the owner of a production facility, such tests shall be at the owner's expense.

12. Dc Current Injection

Adequate design precautions must be taken by the owner of the production facility to prevent injecting direct current into the connecting electric system. Where dc current injection is a possibility, methods such as isolation transformers, monitoring devices, or other decoupling devices should be utilized by the owner of the production facility to prevent dc current injection.

13. Single-Phase Generators

Single-phase generators larger than 100 kW will be permitted to be connected to distribution facilities (28 kV and below) only after a determination by the connecting electric system that such connection will not interfere with the operation of the distribution circuit. Single-phase generators will not normally be permitted to be connected to subtransmission and transmission (48 kV and above) facilities.

14. Indemnification

The owner of the production facility will release, indemnify, and save harmless the connecting electric system, and the purchasing electric system if different, and their respective agents and employees from all liability, claims, demands, causes of action, costs, or losses for personal injuries, property damage, or loss of life or property, sustained by the owner, its agents and employees, or third parties rising out of or in any way connected with the installation, operation, maintenance, repair, defect, or failure of the production facility and associated equipment and facilities.

15. Insurance

The owner of the production facility will carry general liability insurance (in such minimum amounts as may be determined appropriate by the connecting and purchasing electric systems) to provide protection against liability, claims, demands, causes of action, costs, or losses as described in section 14 above (including losses sustained by the connecting electric system and the purchasing electric system and their respective agents and employees). The owner of the production facility, at the request of the electric systems, will provide the electric systems with evidence of the continuing effectiveness of such insurance during the production facility's construction and operation. The owner of the production facility, at the request of the electric systems, will name the electric systems, and their respective agents and employees, as additional insureds.

[FR Doc. 92-3849 Filed 2-20-92; 8:45 am]

BILLING CODE: 8120-00-M

THRIFT DEPOSITOR PROTECTION OVERSIGHT BOARD

Hearing on Early Resolutions/Assisted Mergers

AGENCY: Thrift Depositor Protection Oversight Board.

ACTION: Notice of hearing and request for comments.

SUMMARY: The Thrift Depositor Protection Oversight Board (Oversight Board) will hold a public hearing and seek written comment on the issues raised by early resolutions and assisted mergers of troubled thrift institutions. The hearing will begin at 10 a.m. on March 25, 1992, in the amphitheater of the Resolution Trust Corporation building at 801 17th Street, NW., Washington, DC.

The topic of early thrift resolutions has been highlighted by Congress's recent enactment of the Federal Deposit Insurance Corporation Improvement Act of 1991 (FDICIA), Public Law 102-242, 105 Stat. 2236 (1991). FDICIA sets forth a "Sense of the Congress" declaration that Federal banking agencies should facilitate early resolution of troubled insured depository institutions whenever feasible, in accordance with certain general principles described in the declaration, if early resolution would have the least possible long-term cost to the deposit insurance fund. FDICIA also reaffirms and expands the ability of the bank regulatory agencies to provide

open bank and open thrift assistance, which may be required in the early resolution of an institution.

Because of the significance, difficulty, and complexity of the issues, and in light of the Oversight Board's responsibility to ensure the efficient use of taxpayer funds, the Oversight Board, in cooperation with the Federal Deposit Insurance Corporation, the Resolution Trust Corporation, and the Office of Thrift Supervision, has decided to seek comment on the topics discussed in **SUPPLEMENTARY INFORMATION**. The Oversight Board strongly encourages all interested parties to submit comments for the record. Those individuals and organizations interested in testifying at the hearing should submit their written requests to be heard with their written comments. Witnesses for the hearing will be chosen only from those submitting written comments. Those chosen to testify will also be expected to submit a separate written statement for the hearing record.

DATES: Comments must be received on or before March 20, 1992.

The hearing will be held on March 25, 1992, at 10 a.m.

ADDRESSES: Interested parties are requested to submit ten copies of their written views regarding any or all of the topics discussed below or otherwise relevant to the hearing. Copies will be distributed to the participating agencies and will be used to create a public file to be maintained by the Oversight Board.

Such copies may be sent to:

Comments on Early Resolutions/
Assisted Mergers, Thrift Depositor
Protection Oversight Board, 1777 F
Street, NW., Washington, DC 20232

Individuals who would like to review the submitted comments may do so at the Office of Thrift Supervision Reading Room at 1776 G Street, NW., Washington, DC.

The hearing will be held in the amphitheater of the Resolution Trust Corporation building at 801 17th Street, NW., Washington, DC.

FOR FURTHER INFORMATION CONTACT: For further information, please contact: Richard Farina, General Counsel, Thrift Depositor Protection Oversight Board, telephone (202) 786-9681; Lawrence Hayes, Deputy General Counsel, Thrift Depositor Protection Oversight Board, telephone (202) 786-9681; Harrison Young, Director of Resolutions, Federal Deposit Insurance Corporation, telephone (202) 898-6834; Gail Patelunas, Assistant Director, Federal Deposit Insurance Corporation, telephone (202) 898-6779; William Roelle, Senior Vice President/Chief Financial Officer, Institution Operations and Sales,

Resolution Trust Corporation, telephone (202) 416-7579; Elizabeth Specter, Director of Early Resolutions and Accelerated Resolutions Programs, Resolution Trust Corporation, telephone (202) 416-7558; David Kelso, Associate Director, Office of Thrift Supervision, telephone (202) 906-7206; or Mark Hurley, Director of Resolutions, Office of Thrift Supervision, telephone (202) 906-7027.

SUPPLEMENTARY INFORMATION:

Background

The Thrift Depositor Protection Oversight Board is a corporate instrumentality of the United States, established as the "Oversight Board" by section 21A(a)(1) of the Federal Home Loan Bank Act, 12 U.S.C. 1441a(a)(1), as added by the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA). The Oversight Board was redesignated as the Thrift Depositor Protection Oversight Board by the Resolution Trust Corporation Refinancing, Restructuring, and Improvement Act of 1991, Public Law No. 102-233, sec. 302(a), 105 Stat. 1761, 1767. The Oversight Board's principal duty is to oversee the Resolution Trust Corporation (RTC), also established under FIRREA, whose principal duty is to manage and resolve cases involving failing and failed thrift institutions formerly insured by the Federal Savings and Loan Insurance Corporation.

Solicitation of Comments

The Oversight Board solicits comments on all aspects of the issues surrounding early resolutions and assisted mergers. The "Sense of the Congress" provision set forth in section 143 of FDICIA encourages the Federal banking agencies to pursue early resolution strategies if early resolution would have the least possible long-term cost to the deposit insurance fund and if the transactions can be structured in accordance with certain general principles. These general principles include the following:

1. *Competitive Negotiation*—The transaction should be negotiated competitively, taking into account the value of expediting the process.

2. *Resulting Institution Adequately Capitalized*—Any insured depository institution created or assisted in the transaction (hereafter the "resulting institution") and any institution acquiring the troubled institution should meet all applicable minimum capital standards.

3. *Substantial Private Investment*—The transaction should involve substantial private investment.

4. *Concessions*—Preexisting owners and debtholders of any troubled institution or its holding company should make substantial concessions.

5. *Qualified Management*—Directors and senior management of the resulting institution should be qualified to perform their duties, and should not include individuals substantially responsible for the troubled institution's problems.

6. *FDIC's Participation*—The transaction should give the Federal Deposit Insurance Corporation an opportunity to participate in the success of the resulting institution.

7. *Structure of Transaction*—The transaction should, insofar as practical, be structured so that—

(A) The Federal Deposit Insurance Corporation—

(i) Does not acquire a significant proportion of the troubled institution's problem assets;

(ii) Succeeds to the interest of the troubled institution's preexisting owners and debtholders in proportion to the assistance the Corporation provides; and

(iii) Limits the Corporation's assistance in term and amount; and

(B) New investors share risk with the Corporation.

The Oversight Board is interested in comments concerning any aspect of these general principles. Commenters may wish to focus their discussion on several specific issues raised by these general principles, including the following:

Selection Criteria—What should be the relevant criteria for determining the eligibility of a troubled institution for participation in an early resolution? The Sense of the Congress includes one important criterion, *i.e.*, that the transaction should involve substantial private investment rather than rely on government funds alone. Are other selection criteria important, such as a limitation to particular classes of institutions that can clearly demonstrate franchise value or long-term viability with limited government assistance?

Stakeholder claims—As a practical matter, stakeholders of a weak but technically solvent institution in the past have typically tried to delay or block an early resolution effort. The earlier the resolution effort, the greater the ability that such stakeholders may have to block or delay the action. As a result, unlike a closed-institution transaction where the interests of stakeholders are typically eliminated, early resolutions in the past have sometimes allowed stakeholders to maintain an interest in the surviving institution as an inducement to avoid costly delays.

The Sense of the Congress recognizes this situation by permitting existing stakeholders to maintain ongoing interests in a resolved institution, but only after substantial concessions. What should be the nature and amount of any ongoing stakeholders interest? Can such interest, or should it, be totally subordinated to the government's interest? Should potential stakeholder interests be reduced if a transaction cannot be structured in a reasonable amount of time?

Government Ownership Interest—Early resolutions could also involve the government acquiring equity stakes in surviving institutions, both as a way to recoup amounts paid in assistance and as an incentive for additional private capital to flow into troubled institutions. What issues do such equity stakes raise with respect to market discipline and potential conflicts of interest?

Liquidation of Performing Assets—When banks and thrifts fail in large numbers, the government is forced to acquire and liquidate large amounts of performing but illiquid assets, which can cause serious disruptions to local real estate and financial markets. One duty of the Resolution Trust Corporation is to conduct its operations so as to minimize the impact of its transactions on such markets. If adopted, how can an early resolution strategy be structured to help minimize market disruption?

Dated: February 19, 1992.

Peter H. Monroe,
President.

[FR Doc. 92-4202 Filed 2-20-92; 8:45 am]

BILLING CODE 2222-01-M

DEPARTMENT OF TRANSPORTATION

(Show Cause Order 92-2-27, Docket 47677)

U.S.-Brazil All-Cargo Service Case

AGENCY: Department of Transportation.

ACTION: Show cause order.

SUMMARY: The Department has tentatively decided to award Challenge Air Cargo, Inc. primary authority to engage in scheduled all-cargo air transportation between the coterminal points Miami/Los Angeles via intermediate points in Colombia, Ecuador, and the Republic of Panama, to Manaus, Brasilia, Rio de Janeiro, Sao Paulo, Recife, Porto Alegre, Belem, Belo Horizonte, and Salvador, Brazil, with the right to integrate this authority with existing route authority for a period of five years; and to award backup authority to World Airways, Inc. to conduct scheduled all-cargo services between Miami and Sao Paulo and

Manaus, Brazil and beyond to Santiago, Chile in the event Challenge fails to start service by the specified startup date.

DATES: Objections to the issuance of a final order are due February 24, 1992 and replies are due February 27, 1992.

ADDRESSES: Objections to the issuance of a final order should be filed in Docket 47677, addressed to the Docket Section, Documentary Services Division, U.S. Department of Transportation, 400 Seventh Street, SW., room 4107, Washington, DC 20590, and should be served on all parties in Docket 47677.

Dated: February 14, 1992.

Patrick V. Murphy, Jr.

Deputy Assistant Secretary for Policy and International Affairs.

[FR Doc. 92-3990 Filed 2-20-92; 8:45 am]

BILLING CODE 4910-62-M

Office of the Secretary

Reports, Forms, and Recordkeeping Requirements: Submittals to OMB on February 13, 1992

AGENCY: Office of the Secretary, Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: This notice lists those forms, reports, and recordkeeping requirements imposed upon the public which were transmitted by the Department of Transportation on February 13, 1992, to the Office of Management and Budget (OMB) for its approval in accordance with the requirements of the Paperwork Reduction Act of 1980 (44 U.S.C. chapter 35).

FOR FURTHER INFORMATION CONTACT: John Chandler, Annette Wilson or Susan Pickrel, Information Requirements Division, M-34, Office of the Secretary of Transportation, 400 Seventh Street, SW., Washington, DC 20590, (202) 368-4735, or Edward Clarke, Office of Management and Budget, New Executive Office Building, room 3208, Washington, DC 20503, (202) 395-7340.

SUPPLEMENTARY INFORMATION:

Background

Section 3507 of title 44 of the United States Code, as adopted by the Paperwork Reduction Act of 1980, requires that agencies prepare a notice for publication in the *Federal Register*, listing those information collection requests submitted to the Office of Management and Budget (OMB) for initial, approval, or for renewal under that Act. OMB reviews and approves agency submittals in accordance with

criteria set forth in that Act. In carrying out its responsibilities, OMB also considers public comments on the proposed forms, reporting and recordkeeping requirements. OMB approval of an information collection requirement must be renewed at least once every three years.

Information Availability and Comments

Copies of the DOT information collection requests submitted to OMB may be obtained from the DOT officials listed in the "FOR FURTHER INFORMATION CONTACT" paragraph set forth above. Comments on the requests should be forwarded, as quickly as possible, directly to the OMB officials listed in the "FOR FURTHER INFORMATION CONTACT" paragraph set forth above. If you anticipate submitting substantive comments, but find that more than 10 days from the date of publication are needed to prepare them, please notify the OMB officials of your intent immediately.

Items Submitted for Review by OMB

The following information collection requests were submitted to OMB on February 13, 1992.

DOT No.: 3573.

OMB No.: 2127-0039.

Administration: National Highway Traffic Safety Administration.

Title: 49 CFR part 557, Petitions for Hearings on Notifications and Remedy on Defects.

Need for Information: Gives individuals the opportunity to petition the manufacturers who have been deficient in notifying the public of a safety-related defect or noncompliance.

Proposed Use of Information: This regulation establishes procedures for any person to petition the agency for a hearing to determine whether a manufacturer has met its obligation to notify vehicle owners of a defect or noncompliance and whether the remedy has been satisfactory.

Frequency: On Occasion.

Burden Estimate: 21 hours.

Respondents: Individuals.

Form(s): None.

Average Burden Hours Per Respondent: 60 minutes.

DOT No.: 3574.

OMB No.: 2133-0010.

Administration: Maritime Administration.

Title: U.S. Merchant Marine Academy Application for Admission and Pre-Candidate Questionnaire.

Need for Information: Required to obtain a benefit.

Proposed Use of Information: To assist in making selections for

admission to the U.S. Merchant Marine Academy.

Frequency: One Time.

Burden Estimate: 15,000 hours.

Respondents: Individuals.

Form(s): KP 2-65, KP 3-4.

Average Burden Hours Per

Respondent: 5 hours.

DOT No.: 3575.

OMB No.: New.

Administration: U.S. Coast Guard.

Title: Offshore Supply Vessels, 46 Subchapter L (CGD 82-004); Reporting, Recordkeeping and Marking Requirements.

Need for Information: This information is needed by the Coast Guard to conduct inspections of offshore supply vessels and to ensure that the safety of individuals and property on board are secured. Reporting and posting requirements are needed for safe operation, to prevent emergencies and to ensure proper action is taken in the event of an emergency.

Proposed Use of Information: This information will be used to ensure that plans for significant modification of offshore supply vessels are submitted to the Coast Guard for technical review and approval. Recordkeeping and posting requirements will inform the crew, offshore workers, boarding officers and inspectors that the vessel is currently in compliance with various regulations and treaties. Markings and placards provide instructions to those on board of the actions to be taken to prevent or respond to an emergency.

Frequency: On Occasion, Weekly, Monthly, Quarterly, Annually and Biennially.

Burden Estimate: 2,051 hours.

Respondents: Owners of Offshore Supply Vessels.

Form(s): None.

Average Burden Hours Per

Respondent: 15 minutes.

DOT No.: 3576.

OMB No.: 2115-0582.

Administration: U.S. Coast Guard.

Title: Commercial Fishing Industry Vessels Safety Regulations.

Need for Information: This information is needed by the Coast Guard to establish safety standards for commercial fishing industry vessels. Regulations were mandated by Congress and developed by Coast Guard to reduce the high level of fatalities and accidents in the Commercial fishing industry.

Proposed Use of Information: Coast Guard will use this information to verify that compliance with the Commercial Fishing Industry Vessel Safety Act of 1980 is met. Collecting and posting of information on board commercial fishing

vessels will ensure the safety of these vessels.

Frequency: On Occasion.

Burden Estimate: 91,920 hours.

Respondents: Insurers, Vessels Owners, Agents and Individuals in Charge of Commercial Fishing Vessels.

Form(s): None.

Average Burden Hours Per

Respondent: 1 hour and 8 minutes.

DOT No.: 3577

OMB No.: New.

Administration: Research and Special Programs Administration.

Title: Hazardous Materials Public Sector Planning and Training Grants.

Need for Information: Implementation of a reimbursable grant program to enhance existing State and local emergency response programs.

Proposed Use of Information: The purpose of the grant program is to increase State and Indian tribal effectiveness in handling accidents and incidents involving the transportation of hazardous materials.

Frequency: 3 years from the date grantee submits last expenditure request.

Burden Estimate: 4,082 hours.

Respondents: State and Local Governments (Indian Tribes).

Form(s): None.

Average Burden Hours Per

Respondent: 68 hours.

DOT No.: 3578.

OMB No.: 2133-0503.

Administration: Maritime Administration.

Title: Inventory of American Intermodal Equipment.

Need for Information: It provides aggregated data that are essential to both the government and the transportation industry in planning for the most efficient use of our Nation's intermodal equipment.

Proposed Use of Information: Provides data for planning the shipment of intermodal military cargoes.

Frequency: Annually.

Burden Estimate: 66 hours.

Respondents: Businesses.

Form(s): None.

Average Burden Hours Per Response: 3 hours.

DOT No.: 3579.

OMB No.: 2115-0054.

Administration: U.S. Coast Guard.

Title: Welding and Hot Work Permit.

Need for Information: This information is needed by the Coast Guard to ensure that safety regulations are met when using welding or hot works equipment at waterfront facilities.

Proposed Use of Information: This information will be used by the Coast

Guard to issue permits to facilities engaging in welding, cutting or other hot works activities.

Frequency: On Occasion.

Burden Estimate: 2,340 hours.

Respondents: Owners/Operators of Vessels and Waterfront Facilities.

Form(s): CG-4201, CG-4260.

Average Burden Hours Per Respondent: 30 minutes.

DOT No: 3580.

OMB No: 2133-0007.

Administration: Maritime Administration.

Title: Maintenance and Repair Cumulative Summary (Form MA-140).

Need for Information: Required to obtain or retain a benefit.

Proposed Use of Information: To assure applicant qualifies for benefit under the statute.

Frequency: Quarterly.

Burden Estimate: 3,900 hours.

Respondents: Ship Operators, Businesses.

Form(s): MA-140.

Average Burden Hours Per Respondent: 12 hours.

DOT No: 3581.

OMB No: 2138-0023

Administration: Research and Special Programs Administration.

Title: Part 291 Domestic Cargo Transportation.

Need for Information: Information data base for all-cargo air carriers.

Proposed Use of Information: The data from Form 291-A is used to monitor the domestic all-cargo industry and the individual carriers continuing fitness.

Frequency: Annual.

Burden Estimate: 48 hours.

Respondents: Domestic All-Cargo Air Carriers.

Form(s): 291-A.

Average Burden Hours Per Respondent: 4 hours.

DOT No: 3582.

OMB No: 2115-0056.

Administration: U.S. Coast Guard.

Title: Various International Agreement Safety Certificates.

Need for Information: This recordkeeping requirement is needed as evidence that vessels engaged in international voyages are in compliance with the "International Convention for the Safety of Life at Sea, 1974."

Proposed Use of Information: This information will be used by the Coast Guard to issue appropriate certificates to be posted on U.S.-flag merchant vessels entering foreign ports. Without these certificates being posted, American-flag ships could be detained and/or harassed as being unsafe.

Frequency: Annually or Biennially.

Burden Estimate: 1,074 hours.

Respondents: Owners of U.S.-flag Ships Engaged in International Voyages.

Form(s): CG-3347, 3347A, 4359, 4359A, 4761, 969, 969A, 968, 967.

Average Burden Hours Per Respondent: 2 hours.

DOT No: 3583.

OMB No: 2133-0515.

Administration: Maritime Administration.

Title: Determination of Fair and Reasonable Rates for the Carriage of Dry Bulk Preference Cargoes in Less Than Full Shipload Lots on U.S.-flag Commercial Liner Vessels (46 CFR part 383).

Need for Information: Required to obtain or retain a benefit.

Proposed Use of Information: To assure applicant qualifies for requested benefit under the statute.

Frequency: On Occasion.

Burden Estimate: 66 hours.

Respondents: Businesses.

Form(s): None.

Average Burden Hours Per Respondent: 5 hours and 30 minutes.

DOT No: 3584.

OMB No: 2125-0030.

Administration: Federal Highway Administration.

Title: Outdoor Advertising and Junkyard Report.

Need for Information: For the State highway agencies to provide the FHWA with annual information on the status of the highway beautification program.

Proposed Use of Information: For FHWA to administer and monitor the control of outdoor advertising and junkyards as implemented by the State and mandated by Congress.

Frequency: Annually.

Burden Estimate: 6,526 hours.

Respondents: State Highway Agencies.

Form(s): FHWA 1424.

Average Burden Hours Per Respondent: 30 minutes.

DOT No: 3585.

OMB No: 2120-0020.

Administration: Federal Aviation Administration.

Title: Maintenance, Preventive Maintenance, Rebuilding and Alteration—FAR 43.

Need for Information: FAR 43 prescribes rules governing maintenance, rebuilding, and alteration of aircraft, aircraft components, and is necessary to ensure this work is performed by qualified persons, and at proper intervals.

Proposed Use of Information: The information is used to determine compliance with FAR 43.

Frequency: On Occasion.

Burden Estimate: 7,854,125 hours.

Respondents: Individuals and Businesses.

Form(s): FAA Form 337.

Average Burden Hours Per Respondent: 30 minutes for reporting and 25 hours for recordkeeping.

DOT No: 3586.

OMB No: 2125-0549.

Administration: Federal Highway Administration.

Title: Random Controlled Substance Testing.

Need for Information: For FHWA to determine the extent of controlled substances by drivers of commercial motor vehicles in interstate operations.

Proposed Use of Information: To assist FHWA in justifying its controlled testing ruling.

Frequency: One Time.

Burden Estimate: 1,150 hours.

Respondents: Motor Carriers.

Form(s): None.

Average Burden Hours Per Respondent: 30 minutes.

DOT No: 3587.

OMB No: 2127-0003.

Administration: National Highway Traffic Safety Administration.

Title: Federal-Aid Agreement and Cost Summary Forms for Highway Safety Plan.

Need for Information: To serve as a basis for the execution for a Federal-Aid Agreement.

Proposed Use of Information: The Highway Safety Plan identifies a State's traffic safety problem and describes the programs and projects to address those problems. It serves as the basis for the execution for a Federal-Aid Agreement.

Frequency: Annually.

Burden Estimate: 95,304 hours.

Respondents: States.

Form(s): HS-62 and 217.

Average Burden Hours Per Respondent: 60 minutes.

DOT No: 3588.

OMB No: 2127-0541.

Administration: National Highway Traffic Safety Administration.

Title: Owner's Manual Requirements—Motor Vehicle and Motor Vehicle Equipment, 49 CFR 571.108, 126, 205, 208, 210, 575.105.

Need for Information: To inform vehicle owners and passengers about the proper use of the vehicle or equipment.

Proposed Use of Information: Certain safety information which could benefit the vehicle owner or operator by reducing the risk of harm must be included in the vehicle owner's manual to provide for safe operation by users.

Frequency: On Occasion.

Burden Estimate: 1,095 hours.

Respondents: Businesses/Small Businesses.

Form(s): None.

Average Burden Hours Per

Respondent: 2 hours and 1 minute.

DOT No: 3589.

OMB No: 2120-0085.

Administration: Federal Aviation Administration.

Title: Certification and Operation—FAR 125.

Need for Information: A letter of application and related documents which set forth an applicant's ability to conduct operation in compliance with the provisions of FAR part 125 are submitted to the appropriate Flight Standards District Office (FSDO). The information is needed to determine compliance with the provisions of FAR part 125.

Proposed Use of Information: Inspectors in FAA FSDO's will use the information to determine certificate eligibility.

Frequency: On Occasion.

Burden Estimate: 29,445 reporting/recordkeeping hours.

Respondents: Businesses.

Form(s): None.

Average Burden Hours Per

Respondent: The burden per respondent ranges from 12 minutes for a flight plan, to 80 hours for a manual. The recordkeeping burden ranges from 6 minutes to 12 hours per respondent.

DOT No: 3590.

OMB No: New.

Administration: National Highway Traffic Safety Administration.

Title: Labeling of Reflective Material for Trailer Conspicuity.

Need for Information: Identification of reflective material as conforming to safety requirements.

Proposed Use of Information: Routine trailer inspection by Federal Highway Administration.

Frequency: On Occasion.

Burden Estimate: 200 hours.

Respondents: Businesses.

Form(s): None.

Average Burden Hours Per

Respondent: 2 minutes.

DOT No: 3591.

OMB No: 2120-0045.

Administration: Federal Aviation Administration.

Title: Bird Strike Incident/Ingestion Report.

Need for Information: Bird strike data are collected to develop standards and monitor hazards to aviation.

Proposed Use of Information: The data collection is used by the FAA and the International Civil Aviation Organization to develop standards to cope with bird hazards to aircraft, injury

to personnel, and for bird habitat control methods on or adjacent to airports.

Frequency: On Occasion.

Burden Estimate: 120 hours.

Respondents: Pilots and Individuals.

Form(s): FAA Form 5200-7.

Average Burden Hours Per

Respondent: 5 minutes.

DOT No: 3592.

OMB No: 2125-0037.

Administration: Federal Highway Administration.

Title: Inspection, Repair and Maintenance.

Need for Information: To meet the requirements of 49 CFR 396 for motor carriers to identify defects likely to affect safety operation and to record inspection, repair and maintenance activities.

Proposed Use of Information: For FHWA to determine a motor carrier's overall safety compliance status when conducting audits of motor carrier operations.

Frequency: Recordkeeping (1 year retention).

Burden Estimate: 11,717,718 hours.

Respondents: Motor Carriers.

Form(s): None.

Average Burden Hours Per

Respondent: 2 minutes for commercial motor vehicle maintenance records; 2 minutes for intercity bus maintenance records; 9 hours and 44 minutes for driver vehicle inspection report; 5 seconds for driver vehicle inspection report review; 2 minutes for driver vehicle inspection review filing; 2 minutes for annual inspection report; 10 minutes for annual inspector qualification records; and 10 minutes for brake inspector qualification records.

DOT No: 3593.

OMB No: 2125-0016.

Administration: Federal Highway Administration.

Title: Driver's Record of Duty Status.

Need for Information: For motor carriers to meet the requirements of 49 CFR 395.8.

Proposed Use of Information: For FHWA to determine a motor carrier's compliance status and driver compliance with the maximum time limitations as required by 49 CFR 395.3.

Frequency: Recordkeeping (6 months retention).

Burden Estimate: 11,720,681 hours.

Respondents: Motor Carriers.

Form(s): None.

Average Burden Hours Per

Respondent: 5 minutes reporting burden for the drivers log; 3 minutes reporting burden for the trip report; and 1 minute daily recordkeeping burden.

DOT No: 3594.

OMB No: 2125-0531.

Administration: Federal Highway Administration.

Title: Alternate Procedures for Processing Utility or Railroad Adjustments.

Need for Information: For FHWA to meet its statutory obligations to process and approve State highway agencies' applications for alternate procedures for processing utility or railroad adjustments.

Proposed Use of Information: For FHWA to determine the State highway agencies' policies and procedures for handling utility or railroad adjustments.

Frequency: On Occasion.

Burden Estimate: 80 hours.

Respondents: State Highway Agencies.

Form(s): None.

Average Burden Hours Per

Respondent: 40 hours.

DOT No: 3595.

OMB No: 2120-0557.

Administration: Federal Aviation Administration.

Title: Passenger Facility Charge Program.

Purpose of Request: This collection of information was cleared in July 1991 and assigned OMB control number 2120-0557. Since that time the FAA has received requests from the public for an application form. A draft form has been developed and is being submitted to OMB for review through this request for clearance. No other changes have been made in the information collection activity.

Need for Information: The information is needed in order to implement the statute and carry out a passenger facility charge program as required by Section 9110 of the Aviation Safety and Capacity Expansion Act of 1990.

Proposed Use of Information: DOT/FAA will use any information submitted in response to this program to carry out the intent of section 9110 of the Aviation Safety and Capacity Expansion Act of 1990.

Frequency: Annually.

Burden Estimate: 50,942 hours.

Respondents: State and Local Governments, and Businesses.

Form(s): Passenger Facility Charge Application.

Average Burden Hours Per Respondent: 100 hours.

DOT No: 3596.

OMB No: New.

Administration: U.S. Coast Guard.

Title: Security for Passenger Vessels and Passenger Terminals.

Need for Information: This information collection is needed by the Coast Guard to establish security

standards for passenger vessels and passenger terminals making voyages on the high seas of 24 hours or more. The proposed security standards are necessary to deter or mitigate the results of terrorism and other unlawful acts against passenger vessels and passenger terminals.

Proposed Use of Information: This information will be used by the Coast Guard to ensure that operators of passenger vessels and passenger terminals develop a security plan to deter unlawful acts and to respond to such incidents should they occur. The security plan and its various components are critical to the Coast Guard's passenger vessel security strategy. Each security plan will contain a security survey, a security bill, security standard operating procedures and identification procedures. The security plan sets out the means by which the passenger vessel or passenger terminal would deter and respond to unlawful acts.

Frequency: On Occasion.

Burden Estimate: 42,408 hours.

Respondents: Vessel Operators, Passengers, Individuals.

Form(s): None.

Average Burden Hours Per

Respondent: 10 1/2 minutes.

DOT No: 3597.

OMB No: 2115-0106.

Administration: U.S. Coast Guard.

Title: Plan Approval and Records for Foreign Vessels Carrying Oil in Bulk.

Need for Information: This information collection requirement will be used by the Coast Guard to ensure that foreign tank vessels carrying oil in bulk, comply with minimum applicable standards prior to issuing the Certificate of Compliance. 46 U.S.C. 3703a will require new tank vessels carrying oil in bulk to be fitted with double hulls and that existing tank vessels be retrofitted with double hulls or be retired by the year 2015.

Proposed Use of Information: This information collection will be used by the Coast Guard to ensure that: (1) Foreign tank vessels carrying oil in bulk are in compliance with standards prior to issuing the Certificate of Compliance; (2) a vessel's construction, arrangement and equipment meet the applicable standards as promulgated by the regulations; and (3) sufficient information is available to personnel operating these vessels and equipment in compliance with the standards.

Frequency: On Occasion.

Burden Estimate: 249 hours.

Respondents: Owners and Operators of Foreign Tank Vessels.

Form(s): None.

Average Burden Hours Per

Respondent: 11 hours and 18 minutes.

DOT No: 3598.

OMB No: 2115-0012.

Administration: U.S. Coast Guard.

Title: Application for Appointment as Cadet, USCG.

Need for Information: This information is needed by the Coast Guard to ensure that qualified individuals from the public have an opportunity to compete for a cadet appointment in the U.S. Coast Guard.

Proposed Use of Information: This information will be used by the Coast Guard Academy to screen and review applicants' qualifications to determine their eligibility.

Frequency: One Time.

Burden Estimate: 8,600 hours.

Respondents: Individuals (18-22 years old).

Form(s): CG-4151, CGAD-618A&B, CGAD-634A(2x), CGAD-635, CGAD-634B.

Average Burden Hours Per

Respondent: Average burden hours vary per form:

CGAD-4151.....	15 minutes
CGAD-618A.....	24 minutes
CGAD-618B.....	36 minutes
CGAD634A(2x).....	15 minutes
CGAD634B.....	15 minutes
CGAD635.....	12 minutes
Further doc.....	60 minutes

DOT No: 3599.

OMB NO: 2115-0110.

Administration: U.S. Coast Guard.

Title: Documentation of Vessels;

Recording of Instruments.

Need for Information: This information is needed by the Coast Guard to establish a vessel's: (a) Nationality; (b) eligibility to engage in a particular employment; and (c) eligibility to become the object of a preferred ship mortgage.

Proposed Use of Information: The Coast Guard will use this information to determine the eligibility of a vessel to: (a) Be documented as a "vessel of the United States"; (b) engage in a particular trade; and/or (c) become subject to a preferred ship mortgage. The Internal Revenue Service also relies on this information to determine the eligibility of investment tax credits and the like.

Frequency: On Occasion.

Burden Estimate: 50,553 hours.

Respondents: Owners and Builders of Yachts and Commercial Vessels.

Form(s): CG-1258, CG-1261, CG-1270, CG-1340, CG-1356, CG-4593, CG-5542, CG-1280 and MA-899.

Average Burden Hours Per

Respondent: 12 minutes.

DOT No: 3600.

OMB No: 2120-0018.

Administration: Federal Aviation Administration.

Title: Certification Procedures for Products and Parts, FAR 21.

Need for Information: The information is needed to determine compliance and applicant eligibility with the applicable sections of FAR Part 21.

Proposed Use of Information: 14 CFR part 21 prescribes certification procedures for aircraft, aircraft engines, propellers, products and parts. The information is used to determine compliance.

Frequency: On Occasion.

Burden Estimate: 44,101 hours.

Respondents: Businesses.

Form(s): FAA Forms 8110-12, 8130-1, 8130-6, 8130-9, 8130-12.

Average Burden Hours Per

Respondent: Average reporting burden hours vary per form:

FAA Form 8110-12—Depending on Use:

—To apply for type certificate—48 minutes

—To amend type certificate—30 minutes

—To apply for annual new production certificate—180 hours

—To amend a production certificate—4 hours

FAA Form 8130-1—12 minutes

FAA Form 8130-6—Depending on Use:

—To apply for airworthiness certificate—12 minutes

—To apply for a provisional airworthiness certificate—42 minutes

FAA Form 8130-9—48 minutes

FAA Form 8130-12—15 minutes

To prepare a manual as required by section 21.123—80 hours; Recordkeeping averages 5 minutes.

DOT No: 3601.

OMB No: 2120-0517.

Administration: Federal Aviation Administration.

Title: FAR Part 150—Airport Noise Compatibility Planning.

Need for Information: The voluntarily submitted information, e.g., airport exposure maps and airport noise compatibility programs, or the required revisions thereof, will be used by the FAA in conducting its reviews of the submissions as required by the Aviation Safety and Noise Abatement Act of 1979.

Proposed Use of Information: The FAA approval of these voluntarily submitted noise exposure maps and noise compatibility programs makes these projects eligible for a 10 percent set-aside of discretionary grant funds

under the FAA Airport Improvement Program.

Frequency: On Occasion.

Burden Estimate: 54,900 hours.

Respondents: Airport Operators.

Form(s): None.

Average Burden Hours Per

Respondent: 1,615 hours.

DOT No: 3602.

OMB No: 2115-0503.

Administration: U.S. Coast Guard.

Title: Plan Approval and Records for U.S. Vessels Carrying Oil in Bulk.

Need for Information: This information is needed by the Coast Guard to ensure that U.S. vessels carrying oil in bulk meet the minimum standards promulgated by 46 U.S.C. 3703. Coast Guard has the authority to regulate the design, construction, alteration, repair, maintenance, operation and equipping of U.S. vessels carrying oil in bulk. 46 U.S.C. 3703a requires new tank vessels to be fitted with double hulls and that existing tank vessels be retrofitted with double hulls or retired by the year 2015. Each U.S. vessel that is in compliance with these regulations will be issued a Certificate of Inspection.

Proposed Use of Information: This information will be used by the Coast Guard to determine that the construction, arrangement and/or equipment of U.S. tank vessels meet the applicable standards as promulgated by the regulations. All plans and documentation of tank vessels are to be submitted to the Coast Guard to ensure that the design and construction standards are met.

Frequency: On Occasion.

Burden Estimate: 205 hours.

Respondents: Vessel Owners.

Form(s): None.

Average Burden Hours Per

Respondent: 1 hour and 25½ minutes.

DOT No: 3603.

OMB No: New.

Administration: Federal Aviation Administration.

Title: Unescorted Access Privilege—Parts 107 and 108 of the Federal Aviation Regulations.

Need for Information: The information is needed to record employment, reference and criminal history record checks as required by Public Law 101-604.

Proposed Use of Information: The information will be used to determine eligibility for unescorted access.

Frequency: Recordkeeping.

Burden Estimate: 49,500 hours.

Respondents: Airport Operators and Air Carriers.

Form(s): None.

Average Burden Hours Per

Respondent: 86 hours.

DOT No: 3604.

OMB No: 2120-0057.

Administration: Federal Aviation Administration.

Title: Safety Improvement Report/Accident Prevention Counselor Activity Report.

Need for Information: The information reported on FAA Form 8740-5, Safety Improvement Report, is needed by the Accident Prevention Program Manager to know where the unsafe conditions in the district exist so that he/she can initiate resolution. The information reported on FAA Form 8740-6, Accident Prevention Counselor Activity Report, is needed for planning, implementing and evaluating the Accident Prevention Program and projecting resource allocation.

Proposed Use of Information: FAA Form 8740-5, Safety Improvement Report, is used by airmen to report conditions that may affect the safety of aircraft operating in the national airspace system. FAA Form 8740-6, Accident Prevention Counselor Activity Report, provides information used to document and support the activities of the volunteer Accident Prevention Counselors who constitute a major resource of the Accident Prevention Program.

Frequency: On Occasion (FAA Form 8740-5); Monthly (FAA Form 8740-6).

Burden Estimate: 4,614 hours.

Respondents: Safety Counselors and Individuals.

Form(s): FAA Forms 8740-5 and 8740-6.

Average Burden Hours Per

Respondent: 9 minutes (FAA Form 8740-5); 6 minutes (FAA Form 8740-6).

DOT No: 3605.

OMB No: 2106-0030.

Administration: Office of the Secretary.

Title: Aviation Economic Rules.

Need for Information: An air carrier may not be issued or continue to hold air carrier authority unless it has filed evidence of liability insurance for air carriers.

Proposed Use of Information: The certificates of insurance are kept on file as evidence that air carriers are in compliance with the liability insurance requirement in the Federal Aviation Act of 1958.

Frequency: On Occasion.

Burden Estimate: 2,809 hours.

Respondents: Businesses.

Form(s): New OST Forms 4610 and 4611 will replace current OST Forms 4520 and 4521.

Average Burden Hours Per

Respondent: 30 minutes.

Issued in Washington, DC, on February 13, 1992.

Cynthia C. Rand,

Director of Information Resource Management.

[FR Doc. 92-3992 Filed 2-20-92; 8:45 am]

BILLING CODE 4910-62-M

Coast Guard

[CGD 92-004]

The Boat Safety Account of the Aquatic Resources Trust Fund; Availability of Fiscal Year 1992 Financial Assistance

AGENCY: Coast Guard, DOT.

ACTION: Notice of availability.

SUMMARY: Pursuant to title 46 United States Code, section 13103(c), the Coast Guard is seeking to enter into financial assistance agreements with national nonprofit public service organizations for national boating safety activities. The Coast Guard has fiscal year 1992 funds available to subsidize selected national boating safety activities. This announcement seeks proposals for all types of projects that will promote boating safety on a national level.

DATES: Proposals must be submitted by April 10, 1992.

ADDRESSES: Specific information on organization eligibility, proposal requirements, award procedures, financial administration procedures and application packages may be obtained from Commandant (G-NAB-5), U.S. Coast Guard, 2100 Second Street, SW., Washington, DC 20593-0001.

FOR FURTHER INFORMATION CONTACT: Mr. Ladd Hakes by telephone at (202) 267-0954 or at U.S. Coast Guard Headquarters (G-NAB-5), 2100 Second Street SW., Washington, DC 20593-0001.

SUPPLEMENTARY INFORMATION: Title 26, United States Code, section 9504 establishes the Boat Safety Account of the Aquatic Resources Trust Fund. The Coast Guard may award annually up to 5 percent of the available funds to national nonprofit public service organizations for national boating safety activities. Up to \$1,750,000 is available for the fiscal year ending September 30, 1992. Nineteen awards totaling \$1,750,000 were made in fiscal year 1991; awards ranged from \$10,600 to \$188,000. Nothing in this announcement should be construed as committing the Coast Guard to dividing available funds among all qualified applicants or awarding any specified amount.

It is anticipated that several awards will be made by the Chief, Office of

Navigation Safety and Waterway Services, U.S. Coast Guard. Applicants must be responsible, nongovernmental, nonprofit public service organizations and must establish that their activities are, in fact, national in scope.

Some general areas of particular interest include:

- Boating accident studies and analyses.
- Projects to research, design and develop training aids for boating education programs, including films, tapes, books, classroom materials and other items.
- Projects to design and develop boating safety education media and materials (films, tapes, books) for use by the boating public, including the boater, marine enforcement personnel, and the boating industry.
- Projects to support national boating safety media efforts, e.g. National Safe Boating Week, education seminars and public service announcements.
- Technical or engineering projects to research suspected safety problems on specific boat or associated equipment types.
- Evaluation studies of the effectiveness of selected boating education safety materials.

This list should not constrain submission of proposals addressing other boating safety concerns. Innovative approaches are welcome. This fiscal year, discussions of specific projects of interest to the Coast Guard will be included in the information package discussed in ADDRESSES, above.

The Boating Safety Financial Assistance Program is listed in section 20.005 of the Federal Domestic Assistance Catalog.

Dated: February 14, 1992.

W.J. Ecker,

Rear Admiral, U.S. Coast Guard, Chief, Office of Navigation Safety and Waterway Services.
[FR Doc. 92-4005 Filed 2-20-92; 8:45 am]

BILLING CODE 4910-14-M

Coast Guard

[CGD 92-008]

National Offshore Safety Advisory Committee

AGENCY: Coast Guard, DOT.

ACTION: Request for applications.

SUMMARY: The U.S. Coast Guard is seeking applicants for appointment to membership on the National Offshore Safety Advisory Committee (NOSAC). This Committee advises the Secretary of Transportation on rulemaking matters

related to the offshore mineral and energy industries. The Committee charter calls for the membership to represent particular segments of the offshore industry. Five (5) members will be appointed for terms commencing in January 1993, representing the following segments of the industry: Offshore Supply Vessels, Offshore Drilling, Production of Petroleum, Construction of Offshore and Recovery Facilities, and Offshore Operations.

To achieve the balance of membership required by the Federal Advisory Committee Act, the Coast Guard is especially interested in receiving applications from minorities and women. The Committee will meet at least once a year in Washington, DC or another location selected by the Coast Guard. The Committee Charter calls for members to serve without compensation (neither travel nor per diem) from the Federal Government.

DATES: Applications should be received no later than 31 May 1992. Application forms may be obtained by contacting the Executive Director at the address below.

ADDRESSES: Persons interested in applying should write to Commandant (G-MV1-4), room 1405, U.S. Coast Guard Headquarters, 2100 Second St., SW., Washington, DC 20593-0001.

FOR FURTHER INFORMATION CONTACT:

CDR M. M. Ashdown, Executive Director, National Offshore Safety Advisory Committee (NOSAC), room 1405, U.S. Coast Guard Headquarters, 2100 Second St., SW., Washington, DC 20593-0001, (202) 267-2307.

A. E. Henn,

Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Safety, Security and Environmental Protection.

[FR Doc. 92-4006 Filed 2-20-92; 8:45 am]

BILLING CODE 4910-14-M

[CGD 92-009]

Towing Safety Advisory Committee

AGENCY: Coast Guard, DOT.

ACTION: Request for applications.

SUMMARY: The U.S. Coast Guard is seeking applicants for appointment to membership on the Towing Safety Advisory Committee (TSAC). This committee advises the Secretary of Transportation on rulemaking matters related to shallow-draft inland and coastal waterway navigation and towing safety.

Seven members will be appointed as follows: Three members from the barge and towing industry, reflecting a geographical balance; one member from

port districts, authorities or terminal operators; one member from maritime labor; and two members from the shipping industry.

To achieve the balance of membership required by the Federal Advisory Committee Act, the Coast Guard is especially interested in receiving applications from minorities and women. The committee will meet at least once a year in Washington, DC or another location selected by the Coast Guard.

DATES: Requests for applications should be received no later than May 15, 1992.

ADDRESSES: Persons interested in applying should write to Commandant (G-MTH-2), room 1300, U.S. Coast Guard Headquarters, 2100 Second St., SW., Washington, DC 20593-0001.

FOR FURTHER INFORMATION CONTACT:

CDR Robert Letourneau, Executive Director, Towing Safety Advisory Committee (G-MTH-2), room 1300, U.S. Coast Guard Headquarters, 2100 Second St., SW., Washington, DC 20593-0001, (202) 267-2206.

Dated: February 7, 1992.

D.H. Whitten,

Captain, U.S. Coast Guard, Acting Chief, Office of Marine Safety, Security and Environmental Protection.

[FR Doc. 92-4004 Filed 2-20-92; 8:45 am]

BILLING CODE 4910-14-M

[CGD2-92-02]

Second Coast Guard District Industry Day

AGENCY: Coast Guard, DOT.

ACTION: Notice of meeting.

SUMMARY: On 3 March 1992, the Commander, Second Coast Guard District will sponsor an Industry Day program to provide an open exchange of information, ideas, and opinions on matters of mutual interest or concern to the inland marine community and the Coast Guard. Industry day activities will be held at the Adam's Mark Hotel, Fourth and Chestnut Streets, St. Louis, Missouri as follows:

Monday, 2 March

5-7 p.m. Registration for early arrivals.

Tuesday, 3 March

7 a.m. Registration continues.

8:30 a.m. General Session: Opening comments, Industry Day Program—Selected Presentations.

11:30 a.m. Banquet-style luncheon.

1 p.m. Panel Discussions: Three separate small group panels focusing on

Towing Industry, Shoreside Facilities and Small Passenger Vessel Industry.
4:30 p.m. Industry Day concludes.

Advance registration and payment of the \$25.00 conference and luncheon fee is required. Registration forms or additional information on the Industry Day activities and events scheduled by other groups to coincide with Industry Day may be obtained from one of the officers named below. Written recommendations for agenda discussion topics are encouraged and should be mailed to one of the officers named below. Registration forms should be mailed directly to the Adam's Mark Hotel, Attn: Credit Department, Fourth and Chestnut, St. Louis, Missouri 63102 and must be received by February 18, 1992.

FOR FURTHER INFORMATION CONTACT: Commander Jonathan S. Glantz or Lieutenant Charles L. McAllister, Commander (mpb), Second Coast Guard District, 1222 Spruce Street, room 2.102G, St. Louis, Missouri 63103-2832. The telephone numbers are: Commercial (314) 539-2655 and FTS 262-2655.

Dated: January 29, 1992.

Norman T. Saunders,
Rear Admiral (Lower Half), United States Coast Guard, Commander, Second Coast Guard District.

[FR Doc. 92-4003 Filed 2-20-92; 8:45 am]

BILLING CODE 4910-14-M

Federal Highway Administration

Draft Notice of Intent for Segment I-2 in Harris and Chambers Counties, TX

AGENCY: Federal Highway Administration (FHWA) DOT.

ACTION: Notice of Intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement will be prepared for a proposed highway project in Harris and Chambers Counties, Texas.

FOR FURTHER INFORMATION CONTACT: Mr. John E. Inabinet, Federal Highway Administration, Texas Division, 300 E. 8th Street, Austin, Texas 78701, (512) 482-5519.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Texas Department of Transportation and the Grand Parkway Association, is considering an upgrade to the existing road network in Harris and Chambers Counties. Under this proposed action, a limited access freeway (SH 99) will be constructed between SH 146 at Goose Creek and IH 10(e). Ultimate construction will produce a six-lane

facility with overpasses at major thoroughfares and direct connection ramps at IH 10(e). The highway will be constructed on primarily donated right-of-way. The proposed action will occur within a 13 mile corridor in Harris and Chambers Counties near Galveston Bay. The majority of this corridor crosses relatively undeveloped properties in eastern Chambers County. Cities and towns in the region include Baytown, Mont Belvieu, Cove, and Beach City.

The FHWA proposes to build SH 99 to provide improved transportation characteristics in the region, including improvement to the evacuation routes from coastal areas in Harris, Galveston, and Chambers Counties. Construction of Phase I of the freeway is proposed to begin in FY 1994.

Several potential alignments of SH 99 will be discussed in the DEIS, including the no action alternative. Alignment alternatives through and near urban areas as well as alignments through farmland will be evaluated in the DEIS.

Impacts caused by the construction and operation of SH 99 will vary according to the alternative alignment utilized. Generally, impacts would include the following: transportation impacts (construction detours, construction traffic, mobility improvement and evacuation route improvement), air and noise impacts from construction equipment and operation of the roadway, water impacts from construction areas and roadway stormwater runoff, impacts to waters of the United States including wetlands from right-of-way encroachment, and impacts to residents and businesses based on potential relocations.

Letters describing the proposed action soliciting comments will be sent to appropriate Federal, State, and local agencies, and to private organizations and citizens who have previously expressed or are known to have interest in this proposal. A public scoping meeting will be held at 7 p.m. on March 25, 1992 at Sterling High School in Baytown, Texas. Public comments on the proposed action and alternatives will be requested. A public hearing will be held at a later time, with copies of the draft EIS available for public and agency review and comment prior to the public hearing.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Issued on: February 11, 1992.

John E. Inabinet,

District Engineer Austin, Texas.

[FR Doc. 92-4029 Filed 2-20-92; 8:45 am]

BILLING CODE 4910-22-M

Environmental Impact Statement; Hillsborough and Rockingham Counties, NH

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement (EIS) will be prepared for a proposed highway project in Hillsborough and Rockingham Counties, New Hampshire.

FOR FURTHER INFORMATION CONTACT: Mr. William F. O'Donnell, P.E., Area Engineer, Federal Highway Administration, 279 Pleasant Street, room 204, Concord, New Hampshire 03301, Telephone: (603) 225-1608, or Mr. William R. Hauser, Supervisor, Environmental Services Section, New Hampshire Department of Transportation, P.O. Box 483, John O. Morton Building, Concord, New Hampshire 03302-0483, Telephone: (603) 271-3226.

SUPPLEMENTARY INFORMATION: The FHWA in cooperation with the New Hampshire Department of Transportation (NHDOT), will prepare an environmental impact statement (EIS) for a proposal to construct a new highway facility that would provide new and/or improved access to the Manchester Airport and its surrounding environs.

The proposed action would relieve traffic congestion, reduce travel time, improve safety and accommodate projected increases in traffic demand in areas surrounding the airport facility.

Alternatives to be considered include (1) taking no action; (2) applying transportation systems management (TSM) improvements to selected locations on existing roads; (3) upgrading existing routes to add capacity, reduce travel time and/or improve safety; (4) constructing a new highway, approximately 5 miles in length, on new location between the F. Everett Turnpike and Interstate Route

93; and (5) combinations of these alternatives. Various designs of grade, alignment, geometry and access will be evaluated.

An Advisory Task Force will be established with representation from the New Hampshire General Court, state and local officials, business and industry and local citizens.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, state and local agencies, and to private organizations and citizens who have previously expressed or are known to have interest in this proposal. Public information, community and Advisory Task Force meetings will be held in the study area as the project progresses in order to include public input in the planning process. A public hearing will be held following distribution of the Draft Environmental Impact Statement (DEIS). Public notice will be given regarding the time and location of this hearing. The DEIS will be available for review and comment by the public and interested agencies prior to the public hearing.

A formal scoping meeting will be held at 9:30 a.m. in April 2, 1992, in room 3 of the John O. Morton Building in Concord, New Hampshire to (1) confirm the limits of the project study area; (2) help to establish the study framework and the impacts to be analyzed; and (3) help to define a reasonable range of alternatives to be considered.

Agencies to be invited to be cooperating agencies are the U.S. Army Corps of Engineers (ACOE), the U.S. Environmental Protection Agency (EPA), the U.S. Fish and Wildlife Service (F&W), the Federal Aviation Administration (FAA), the New Hampshire State Historic Preservation Office (SHPO) and the New Hampshire Wetlands Board.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposal and the EIS should be directed to the FHWA or the NHDOT at the addresses provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on federal programs and activities apply to this program.)

Issued on: February 14, 1992.

Gerald L. Eller,
Division Administrator, Concord, New Hampshire.

[FR Doc. 92-4028 Filed 2-20-92; 8:45 am]

BILLING CODE 4910-22-M

Maritime Administration

[Docket S-888]

American President Lines, Ltd.; Application for a Waiver of Section 804(a) of the Merchant Marine Act, 1936, as amended, to Permit Certain Foreign-Flag Operations

American President Lines, Ltd. (APL), by application dated February 12, 1992, requests waiver of the provisions of section 804(a) of the Merchant Marine Act, 1936, as amended (Act), for foreign-flag operations of APL under the terms of Operating-Differential Subsidy Agreement (ODSA), Contract MA/MSB-417, in order to renew the waiver previously granted APL to own or charter and operate four foreign-flag vessels of approximately 350 FEU capacity, said vessels to be operated on approximately weekly service between a foreign port on Line A or Line B as described in Appendix A of the ODSA including Singapore, and Manila and Thailand, or alternatively two approximately 700 FEU vessels operated fortnightly, for an additional period to the termination of APL's operating subsidy contract—until December 31, 1997. Current authority expires on May 22, 1992.

APL's Existing Services

APL now performs four subsidized containership services. Its two transpacific services cover the range of former Trade Route 29 to/from California (Line A) and to/from Oregon-Washington (Line B). APL's two extension services add authority to serve the ports of Southeast and South Asia, including Singapore, and the Persian Gulf and Red Sea.

This application may be inspected in the Office of the Secretary, Maritime Administration. Any person, firm, or corporation having any interest in such request within the meaning of section 804 of the Act and desiring to submit comments concerning the application must file written comments in triplicate with the Secretary, Maritime Administration, room 7300, Nassif Building, 400 Seventh Street SW., Washington, DC 20590. Comments must be received no later than 5 p.m. on March 6, 1992. This notice is published as a matter of discretion and publication should in no way be considered a favorable or unfavorable decision on the application, as filed or as may be amended. The Maritime Administrator will consider any comments submitted and take such action with respect thereto as may be deemed appropriate.

(Catalog of Federal Domestic Assistance Program No. 20.804 (Operating-Differential Subsidies)).

By Order of the Maritime Administrator.

Date: February 18, 1992.

James E. Saari,

Secretary, Maritime Administration.

[FR Doc. 92-4027 Filed 2-20-92; 8:45 am]

BILLING CODE 4910-81-M

Research and Special Programs Administration

Meetings of Pipeline Safety Advisory Committees

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463, 5 U.S.C. app.1) notice is hereby given of the following meetings of the Technical Hazardous Liquid Pipeline Safety Standards Committee and the Technical Pipeline Safety Standards Committee. Each Committee meeting as well as a joint session of the two Committees will be held in room 2201 of the Department of Transportation Building, 400 Seventh Street, SW., Washington, DC.

On March 10, 1992, at 9 a.m., the Technical Hazardous Liquid Pipeline Safety Standards Committee (THLPSSC) will meet and be briefed on the Research and Special Program Administration's (RSPA) review to identify unnecessary and burdensome regulations, following the President's State of the Union address. THLPSSC guidance will be sought on reducing hazardous liquid regulations. The agenda will also include a review of environmental requirements in pending pipeline safety reauthorization legislation, a status report on two research and development (R&D) projects (environmentally sensitive areas and supervisory control and data acquisition systems), and a discussion of the impact of environmental requirements on pipeline operations by THLPSSC industry members.

At 1:30 p.m., the THLPSSC will be joined by members of the Technical Pipeline Safety Standards Committee (TPSSC) for a joint session which will include:

1. RSPA Administrator's Overview.
2. Status Reports on Various Pipeline Safety Program Issues (budget, reauthorization legislation, work redesign, drug and alcohol testing, offshore R&D project).
3. Presentation on One-Call Notification Systems.

On March 11, 1992, at 9 a.m., the joint THLPSSC-TPSSC session will continue with presentations on a proposed

pipeline industry model for prioritizing pipeline safety issues, data requirements and model analysis, and the OPS strategic planning process. These presentations will culminate in a group discussion/brainstorming session focusing on setting pipeline safety priorities.

At 1:30 p.m., the TPSSC will meet and be briefed on RSPA's efforts to identify unnecessary and burdensome regulations. TPSSC guidance will be sought on reducing natural gas regulations.

The TPSSC will also discuss and vote on the technical feasibility, reasonableness, and practicability of proposed rules regarding:

1. Transportation of Hydrogen Sulfide by Pipeline (NPRM issued on March 18, 1991; 56 FR 11490).

2. Leakage Surveys on Distribution Lines Located Outside Business Districts (NPRM issued on October 23, 1991; 56 FR 54816).

Each meeting will be open to the public, but attendance will be limited to the space available. Please note that attendance will particularly be limited during the joint session of the two committees because of space constraints. Members of the public may present oral statements on the topics. Due to the limited time available, each person who wants to make an oral statement must notify Rebecca Key, room 8417, Department of Transportation Building, 400 Seventh Street, SW., Washington, DC 20590, telephone (202) 366-1640, not later than Tuesday, March 3, 1992, of the topic to be addressed and the time requested to address each topic. The presiding officer may limit the time of any oral presentation. Members of the public may present written statements to the Committees before or after any meeting.

Dated: February 14, 1992.

Cesar De Leon,

Executive Director, THLPSSC and TPSSC.

[FR Doc. 92-3991 Filed 2-20-92; 8:45 am]

BILLING CODE 4910-90-M

DEPARTMENT OF THE TREASURY

Public Information Collection Requirements Submitted to OMB for Review

February 13, 1992.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1980, Public Law 96-511. Copies of the submission(s) may be obtained by

calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, room 3171, Treasury Annex, 1500 Pennsylvania Avenue, NW., Washington, DC 20220.

Internal Revenue Service

OMB Number: 1545-0927.

Form Number: 8390.

Type of Review: Extension.

Title: Information Return for Determination of Life Insurance Company Earnings Rate Under Section 809.

Description: Life insurance companies are required to provide data so the Secretary of the Treasury can compute the: (1) Stock earnings rate of the 50 largest stock companies; and (2) average mutual earnings rate. These factors are used to compute the differential earnings rate which will determine the tax liability for mutual life insurance companies.

Respondents: Businesses or other for-profit.

Estimated Number of Respondents: 400.

Estimated Burden Hours Per

Response/Recordkeeping:

Recordkeeping, 57 hours, 52 minutes.

Learning about the form, 3 hours, 35 minutes.

Preparing and sending the form to IRS, 4 hours, 41 minutes.

Frequency of Response: Annually.

Estimated Total Recordkeeping/

Reporting Burden: 26,448 hours.

Clearance Officer: Garrick Shear (202) 535-4297, Internal Revenue Service, room 5571, 1111 Constitution Avenue, NW., Washington, DC 20224.

OMB Reviewer: Milo Sunderhauf (202) 395-6880, Office of Management and Budget, room 3001, New Executive Office Building, Washington, DC 20503.

Dale A. Morgan,

Departmental Reports Management Officer.

[FR Doc. 92-3976 Filed 2-20-92; 8:45 am]

BILLING CODE 4830-01-M

Public Information Collection Requirements Submitted to OMB for Review

February 13, 1992.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1980, Public Law 96-511. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance

Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, room 3171, Treasury Annex, 1500 Pennsylvania Avenue, NW., Washington, DC 20220.

Internal Revenue Service

OMB Number: 1545-0143.

Form Number: 2290.

Type of Review: Extension.

Title: Heavy Vehicle Use Tax Return.

Description: Form 2290 is used to compute and report the tax imposed by section 4481 on the highway use of certain motor vehicles. The information is used to determine whether the taxpayer has paid the correct amount of tax.

Respondents: Individuals or households, Farms, Businesses or other for-profit institutions, Non-profit institutions, Small businesses or organizations.

Estimated Number of Respondents: 486,000.

Estimated Burden Hours Per

Response/Recordkeeping:

Recordkeeping, 35 hours, 10 minutes.

Learning about the form, 12 minutes.

Preparing and sending the form to IRS, 47 minutes.

Frequency of Response: Annually.

Estimated Total Recordkeeping/

Reporting Burden: 17,559,180 hours.

Clearance Officer: Garrick Shear (202) 535-4297, Internal Revenue Service, room 5571, 1111 Constitution Avenue, NW., Washington, DC 20224.

OMB Reviewer: Milo Sunderhauf (202) 395-6880, Office of Management and Budget, room 3001, New Executive Office Building, Washington, DC 20503.

Dale A. Morgan,

Departmental Reports Management Officer.

[FR Doc. 92-3977 Filed 2-20-92; 8:45 am]

BILLING CODE 4830-00-M

Public Information Collection Requirements Submitted to OMB for Review

February 14, 1992.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1980, Public Law 96-511. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department

Clearance Officer, Department of the Treasury, room 3171, Treasury Annex, 1500 Pennsylvania Avenue, NW., Washington, DC 20220.

Internal Revenue Service

OMB Number: 1545-0906.

Form Number: 8362.

Type of Review: Extension.

Title: Currency Transaction Report by Casinos.

Description: Casinos have to report currency transactions of more than \$10,000 within 15 days of the transaction. A casino is defined as one licensed by a State or local government having gross annual gaming revenue in excess of \$1,000,000.

Respondents: Businesses or other for-profit.

Estimated Number of Respondents: 200.

Estimated Burden Hours Per Response: 38 minutes.

Frequency of Response: On occasion.

Estimated Total Reporting Burden: 19,063 hours.

Clearance Officer: Garrick Shear (202) 535-4297, Internal Revenue Service, Room 5571, 1111 Constitution Avenue, NW., Washington, DC 20224.

OMB Reviewer: Milo Sunderhauf (202) 395-8880, Office of Management and Budget, Room 3001, New Executive Office Building, Washington, DC 20503. Dale A. Morgan,

Departmental Reports Management Officer. [FR Doc. 92-3978 Filed 2-20-92; 8:45 am]

BILLING CODE 4830-01-M

Federal Law Enforcement Training Center

AGENCY: Advisory Committee to the National Center for State and Local Law Enforcement Training.

ACTION: Notice of meeting.

SUMMARY: The agenda for this meeting includes: opening remarks by the Director of the Federal Law Enforcement

Training Center and Committee Co-chairs; historical overview of the National Center for State and Local Law Enforcement Training and the Advisory Committee; training program development updates on Hate/Bias Crimes, Advanced Cause and Origin, Law Enforcement and Private Security Executive Training; and status of initiatives—OAMO/OSL, Operation Alliance, Project North Star Training Committee.

DATES: February 26, 1992.

ADDRESSES: FLETC Marana Facility, Building 18, Classroom 4, Marana, Arizona 85853.

FOR FURTHER INFORMATION CONTACT: Hobart M. Henson, Director, Office of State and Local Training, Federal Law Enforcement Training Center, Glynco, Georgia 31524.

Hobart M. Henson,

Director, Office of State and Local Training.

[FR Doc. 92-4108 Filed 2-20-92; 8:45 am]

BILLING CODE 4810-32-M

Sunshine Act Meetings

Federal Register

Vol. 57, No. 35

Friday, February 21, 1992

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 57 FR 6058 Wednesday, February 19, 1992.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 2:00 p.m. (Eastern Time) Tuesday, March 3, 1992.

PLACE: Conference Room on the Ninth Floor of the EEOC, Office Building, 1801 "L" Street, N.W., Washington, D.C. 20507.

CHANGE IN THE MEETING:

Open Session

The item listed below has been added to the agenda:

Proposed Final Rule, 29 C.F.R. Part 1614—Federal Sector Equal Employment Opportunity.

CONTACT PERSON FOR MORE INFORMATION: Frances M. Hart, Executive Officer on (202) 663-7100.

Dated: February 19, 1992.

Susan M. Daniel,

Deputy Executive Officer, Executive Secretariat.

[FR Doc. 92-4195 Filed 2-19-92; 3:05 pm]

BILLING CODE 6750-06-M

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

February 20, 1992.

TIME AND DATE: 10:00 a.m., Thursday, February 20, 1992.

PLACE: Room 800, 1730 K Street, N.W., Washington, D.C.

STATUS: Open.

MATTERS TO BE CONSIDERED: The Commission will hear oral argument of the following:

1. *Asarco, Inc.*, Docket No. SE 89-24-RM, etc. (Issues include whether the judge erred in finding that Asarco violated 30 C.F.R. §§ 57.3200 & 57.3401 and that the violations were the result of Asarco's high negligence.)

Any person attending this hearing who requires special accessibility features and/or auxiliary aids, such as sign language interpreters, must inform the Commission in advance of those needs. Subject to 29 CFR § 2706.150(a)(3) and § 2706.160(e).

TIME AND DATE: Immediately following oral argument.

STATUS: Closed [Pursuant to 5 U.S.C. § 552b(c)(10)].

MATTERS TO BE CONSIDERED: The Commission will consider and act upon the following:

1. *Asarco, Inc.*, Docket No. SE 89-24-RM, etc. (See Oral Argument listing).

It was determined by a unanimous vote of Commissioners that this meeting be held in closed session.

CONTACT PERSON FOR MORE INFO: Jean Ellen (202) 653-5629/(202) 708-9300 for TDD Relay 1-800-877-8339 for toll free.

Jean Ellen,

Agenda Clerk.

[FR Doc. 92-4115 Filed 2-19-92; 8:46 am]

BILLING CODE 6735-01-M

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

TIME AND DATE: 10:00 a.m., Wednesday, February 26, 1992.

PLACE: Marriner S. Eccles Federal Reserve Board Building, C Street entrance between 20th and 21st Streets, N.W., Washington, DC 20551.

STATUS: Open.

MATTERS TO BE CONSIDERED:

1. Publication for comment of proposed amendments to Regulation B (Equal Credit Opportunity) to implement amendments to the Equal Credit Opportunity Act in the Federal Deposit Insurance Corporation Improvement Act of 1991, regarding enforcement and appraisal reports.

2. Proposed survey to evaluate the disposition of mortgage loan applications.

3. Any items carried forward from a previously announced meeting.

Note: This meeting will be recorded for the benefit of those unable to attend. Cassettes will be available for listening in the Board's Freedom of Information Office, and copies may be ordered for \$5 per cassette by calling (202) 452-3684 or by writing to: Freedom of Information Office, Board of Governors of the Federal Reserve System, Washington, DC 20551.

CONTACT PERSON FOR MORE INFORMATION:

Mr. Joseph R. Coyne, Assistant to the Board; (202) 452-3204.

Dated: February 19, 1992.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 92-4125 Filed 2-19-92; 10:19 am]

BILLING CODE 6210-01-M

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

TIME AND DATE: Approximately 11:00 a.m., Wednesday, February 26, 1992, following a recess at the conclusion of the open meeting.

PLACE: Marriner S. Eccles Federal Reserve Board Building, C Street entrance between 20th and 21st Streets, N.W., Washington, DC 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.

2. Any items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION:

Mr. Joseph R. Coyne, Assistant to the Board; (202) 452-3204. You may call (202) 452-3207, beginning at approximately 5 p.m. two business days before this meeting, for a recorded announcement of bank and bank holding company applications scheduled for the meeting.

Dated: February 19, 1992.

Jennifer J. Johnson,

Associate Secretary of Board.

[FR Doc. 92-4126 Filed 2-19-92; 10:19 am]

BILLING CODE 6210-01-M

DEPARTMENT OF JUSTICE

UNITED STATES PAROLE COMMISSION

Record of Vote of Meeting Closure

(Public Law 94-409)

(5 U.S.C. Sec. 552b)

I, Carol Pavilack Getty, Chairman of the United States Parole Commission, presided at a meeting of said Commission which started at nine o'clock a.m. on Tuesday, February 11, 1992 at the Commission's Central Office, 5550 Friendship Boulevard, Chevy Chase, Maryland, 20815. The meeting ended at or about 11:30 a.m. The purpose of the meeting was to decide approximately 5 appeals from National Commissioners' decisions pursuant to 28 C.F.R. Sec. 2.27. Four Commissioners were present, constituting a quorum when the vote to close the meeting was submitted.

Public announcements further describing the subject matter of the meeting and certifications of General Counsel that this meeting may be closed by vote of the Commissioners present

were submitted to the Commissioners prior to the conduct of any other business. Upon motion duly made, seconded, and carried, the following Commissioners voted that the meeting be closed: Carol Pavilack Getty, Jasper

Clay, Jr., Vincent Fechtcl, Jr., and Victor M.F. Reyes.

IN WITNESS WHEREOF, I make this official record of the vote taken to close this meeting and authorize this record to be made available to the public.

Dated: February 11, 1992.

Carol Pavilack Getty,

Chairman, U.S. Parole Commission.

[FR Doc. 92-4201 Filed 2-19-92; 3:58 pm]

BILLING CODE 4410-01-M

Corrections

Federal Register

Vol. 57, No. 35

Friday, February 21, 1992

This section of the FEDERAL REGISTER contains editorial corrections of previously published Presidential, Rule, Proposed Rule, and Notice documents. These corrections are prepared by the Office of the Federal Register. Agency prepared corrections are issued as signed documents and appear in the appropriate document categories elsewhere in the issue.

DEPARTMENT OF COMMERCE

International Trade Administration

[A-549-807; A-570-814]

Postponement of Final Antidumping Duty Determinations and Rescheduling of Public Hearings: Certain Carbon Steel Butt-Weld Pipe Fittings From the People's Republic of China

Correction

In notice document 92-794 appearing on page 1253 in the issue of Monday, January 13, 1992, make the following corrections:

1. In the first column, the heading of the document was printed incorrectly and should appear as set forth above.

2. In the same column, under **POSTPONEMENT OF FINAL DETERMINATION**, in the 12th line, "9PRC)" should read "(PRC)".

BILLING CODE 1505-01-D

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 90N-0208]

Chelsea Laboratories, Inc.; Withdrawal of Approval of Nine Abbreviated New Drug Applications

Correction

In notice document 92-2232 beginning on page 3632, in the issue of Thursday, January 30, 1992, make the following correction:

On page 3633, in the first column, in the second full paragraph, in the fifth line from the bottom, "drug" should read "drugs".

BILLING CODE 1505-01-D

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 92N-0035]

Chelsea Laboratories, Inc.; Withdrawal of Approval of Nine Abbreviated New Drug Applications

Correction

In notice document 92-2231 appearing on page 3633, in the issue of Thursday,

January 30, 1992, make the following correction:

On page 3633, in the third column, in the table, in the "Drug" column, in the fourth entry, "Hydrocholoride" should read "Hydrochloride".

BILLING CODE 1505-01-D

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 92N-0036]

Superpharm Corp., et al.; Withdrawal of Approval of 18 Abbreviated New Drug Applications

Correction

In notice document 92-2230 appearing on page 3634, in the issue of Thursday, January 30, 1992, make the following correction:

On page 3634, in the first column, in the table, in the "Drug" column, in the second entry, "Metronidzaole" should read "Metronidazole".

BILLING CODE 1505-01-D

federal register

**Friday
February 21, 1992**

Part II

Department of Education

**Office of Indian Education: Planning,
Pilot, and Demonstration Projects for
Indian Children; and Educational
Personnel Development; Notice**

DEPARTMENT OF EDUCATION**Office of Indian Education: Planning, Pilot, and Demonstration Projects for Indian Children; and Educational Personnel Development****AGENCY:** Department of Education.**ACTION:** Notice of final priorities for Fiscal Year (FY) 1992.

SUMMARY: The Secretary announces absolute priorities for fiscal year (FY) 1992 grant competitions under the following Indian education programs: Planning, Pilot, and Demonstration Projects for Indian Children; and Educational Personnel Development. The Secretary takes this action to focus Federal financial assistance on identified national needs. These priorities will: (1) increase the availability and effectiveness of services for children by providing them in an integrated fashion; and (2) provide on-site development of teachers and other educational personnel on reservations or rural areas.

These priorities constitute a step in the direction of implementing the President's strategy for reaching the National Education Goals, AMERICA 2000. The priorities will strengthen the ability of these programs to improve learning opportunities and outcomes for Indian students, an essential element of the President's strategy for ensuring that all students reach the high levels of intellectual performance envisioned by the National Education Goals.

EFFECTIVE DATE: These priorities take effect either 45 days after publication in the *Federal Register* or later if the Congress takes certain adjournments. If you want to know the effective date of these priorities, call or write the Department of Education contact person.

FOR FURTHER INFORMATION CONTACT: Cathie Martin, U.S. Department of Education, 400 Maryland Avenue SW., room 2177, Washington, DC 20202-6335. Telephone (202) 401-1902. Deaf and hearing impaired individuals may call the Federal Dual Party Relay Service at 1-800-877-8339 (in the Washington, DC 202 area code, telephone 708-9300) between 8 a.m. and 7 p.m., Eastern time.

SUPPLEMENTARY INFORMATION: This notice contains priorities under the following programs:

Planning, Pilot, and Demonstration Projects for Indian Children.

Educational Personnel Development. The purpose of each program is stated separately under the title of that program.

On August 29, 1991, the Secretary published a notice of proposed priorities

for these programs in the *Federal Register* (58 FR 42722).

Note: This notice of final priorities does not solicit applications. A notice inviting applications under these competitions is published in a separate notice in this issue of the *Federal Register*.

Analysis of Comments and Changes

In response to the Secretary's invitation in the notice of proposed priorities, five parties submitted comments. An analysis of the comments and of the changes in the priorities since publication of the notice of proposed priorities follows. Suggested changes the Secretary is not legally authorized to make under the applicable statutory authority are also listed. Technical and other minor changes are not addressed.

Planning, Pilot, and Demonstration Projects

Comments: One commenter identified and recommended specific social, medical, and educational programs that should be included in the implementation phase of the integration of service delivery in Planning, Pilot, and Demonstration projects.

Discussion: The priority for this program requires the applicant to coordinate educational activities and to integrate those activities with health, social, or other family services provided. Because the particular services will vary considerably from location to location, the Secretary believes that it would be inappropriate and overly prescriptive to include a more detailed list that would apply to every situation and applicant.

Changes: None.

Educational Personnel Development**Absolute Priority**

Comments: One commenter stated that the requirement that training lead to a bachelor's degree or above within five years or less, or meet requirements for teacher certification, or both, was not a realistic time frame for the following reasons: distance from the college or university to a reservation or rural community would preclude offering participants a full-time program; some States require students to pass a competency test as a prerequisite to entering a professional teacher preparation program and students are often required to take additional courses to pass the competency test; and many courses taken by teacher aides do not result in credit hours that contribute to a degree. The commenter suggested the requirement for completion of training within five years be eliminated.

Two additional commenters suggested that school boards be included in the list of participants to receive training.

Discussion: The suggestion regarding the time period for completion of training has been considered and accepted. It was not the intent of the Department to require a college or university to offer a full-time training program to a remote reservation or rural community. The Department agrees that participants in these training programs may not be able to obtain a bachelor's degree or above within a five-year period.

With regard to the comments suggesting school boards be included as training participants, the authorizing statute limits training to prepare individuals to serve as teachers, administrators, teacher aides, social workers, and ancillary educational personnel.

Changes: The requirement that training lead to a bachelor's degree or above within five years has been deleted.

Planning, Pilot, and Demonstration Projects for Indian Children

Purpose of Program: The Planning, Pilot, and Demonstration Projects for Indian Children program provides financial assistance for projects to design, test, and demonstrate the effectiveness of programs for improving educational opportunities for Indian children. The absolute priority applies to each of the three separate competitions (Planning projects, Pilot projects, and Demonstration projects) conducted under this program.

Background: The absolute priority for this program requires coordination among agencies that provide educational and health, social, or other family services through service integration. For the purposes of the priority, service integration is defined as an approach to improving the lives of at-risk Indian children by bringing together education, health, and social services in a comprehensive system for child and family assessment, service delivery, and follow-up monitoring and evaluation. Because the needed services may originate in many agencies, service integration requires collaboration, information sharing, and a possible relocation of services to ensure that the services are convenient and accessible.

A recent study of integrated services for at-risk children conducted for the Departments of Education and Health and Human Services suggests that access to integrated services can be very beneficial to disadvantaged children and their families, especially those who live in communities characterized by extreme poverty, family dissolution, and lack of

reasonable access to services. Programs offering comprehensive integration of services have found that highly disadvantaged children often have difficulties with important developmental characteristics of the middle childhood years, primarily between the ages of four and twelve. Because many Indian children fall into the disadvantaged category, the Secretary has established an absolute priority to demonstrate the effectiveness of projects offering integrated services for Indian children and their families.

Absolute Priority: Under 34 CFR 75.105(c)(3), the Secretary gives an absolute preference to Planning, Pilot, and Demonstration Projects that meet the following priority. The Secretary funds under the competition for each program only projects that meet this absolute priority:

Service Integration

Projects that are designed to achieve all of the following objectives:

- (1) Coordination of educational activities with other entities, such as local educational agencies, Indian tribes, State educational agencies, or institutions of higher education;
- (2) Integration of Indian Education Act activities with educational activities supported by State, local, tribal, or other federal funds; and
- (3) Integration of school activities with health, social or other family services.

Within this absolute priority, each planning, pilot, or demonstration project must also address one or more of the following areas:

- (1) Innovative approaches to keeping students in school until they successfully graduate (e.g., targeting dropout and attendance concerns);
- (2) Early childhood and family education; or
- (3) Strengthening instruction in the five core curriculum areas of English, mathematics, science, history, and geography, through strategies that include the development of curriculum and materials that incorporate appropriate aspects of the culture of the Indian children to be served. Projects must address the basis for determining how the materials to be developed relate to the Indian culture.

Applicable Program Regulations: 34 CFR part 254.

Program Authority: 25 U.S.C. 2621 (a)(1), (b).

Educational Personnel Development

Purpose of Program: The Educational Personnel Development program includes two programs supporting projects for: (1) Preparing persons to serve Indian students as teachers,

administrators, teacher aides, social workers, and ancillary educational personnel; and (2) improving the qualifications of persons serving Indian students in these capacities.

Background: Reservations and rural areas in which Indian students reside have traditionally had a difficult time recruiting and retraining qualified teachers. The absolute priority for the two Educational Personnel Development programs addresses this problem by supporting projects that provide on-site training for persons who already reside on reservations or in rural areas and who are likely to remain in their communities once their training has been completed.

Absolute Priority: Under 34 CFR 75.105(c)(3), the Secretary gives an absolute preference to Educational Personnel Development projects that meet the following priority. The Secretary reserves a portion of the funds available under each of the two separate competitions for this program only for projects that meet this absolute priority:

"On-site" Training To Prepare Teachers of Indian Children

The training must: (1) Lead to a bachelor's degree or above, or meet requirements for teacher certification or both; (2) be offered in a reservation or rural community, at least during the school year, in which the participants, and the schools in which they are likely to be employed, are located; and (3) involve coordination of activities with other entities, such as institutions of higher education, local educational agencies, tribal colleges, or Indian tribes.

Applicable Program Regulations: 34 CFR part 256.

Program Authority: 25 U.S.C. 2621(d), 2622.

Intergovernmental Review

These programs are subject to the requirements of Executive Order 12372 and the regulations in 34 CFR part 79. The objective of the Executive order is to foster an intergovernmental partnership and a strengthened federalism by relying on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

In accordance with the order, this document is intended to provide early notification of the Department's specific plans and actions for these programs.

Dated: November 25, 1991.

(Catalog of Federal Domestic Assistance Number 84.061 Parts C, D, and E, Planning, Pilot and Demonstration Projects for Indian

Children; and 84.061F, Educational Personnel Development)

Lamar Alexander,
Secretary of Education.

[FR Doc. 92-4007 Filed 2-20-92; 8:45 am]

BILLING CODE 4000-01-M

[CFDA Nos.: 84.061C, 84.061D, 84.061E, 84.061F]

Planning, Pilot, and Demonstration Projects for Indian Children; Educational Personnel Development; Indian Education Act of 1988, Subpart 2; Notice Inviting Applications for New Awards for Fiscal Year (FY) 1992

Purposes of Programs

Planning, Pilot, and Demonstration Projects for Indian Children. This program, authorized by section 5321 (a)(1) and (b) of the Indian Education Act of 1988, provides financial assistance for projects designed to create, test, and demonstrate the effectiveness of programs for improving educational opportunities for Indian children.

Educational Personnel Development. Educational Personnel Development includes two programs supporting projects designed to prepare persons to serve Indian students as teachers, administrators, teacher aides, social workers, and ancillary educational personnel and to improve the qualifications of persons serving Indian students in these capacities. The two programs, authorized by sections 5321(d) and 5322 of the Indian Education Act of 1988, are referred to respectively as the section 5321(d) program and the section 5322 program.

Eligible Applicants

For grants under the Planning, Pilot, and Demonstration Projects: State educational agencies (SEAs), local educational agencies (LEAs), Indian tribes, Indian organizations, Indian institutions, and Federally supported elementary and secondary schools for Indian children.

For Educational Personnel Development grants under the section 5321(d) program: institutions of higher education, and SEAs or LEAs in combination with institutions of higher education.

For Educational Personnel Development grants under the section 5322 program: institutions of higher education, Indian tribes, and Indian organizations.

Deadline for Transmittal of Applications: May 1, 1992.

Deadline for Intergovernmental Review: June 30, 1992.

Applications Available: March 18, 1992.

The following chart contains fiscal and programmatic information about each of the programs announced in this notice.

CFDA No. and name	Estimated range of awards	Estimated avg. size of awards	Estimated No. of awards
84.061C Planning projects	\$27,000-130,000	\$74,000	1
84.061D Pilot projects	70,000-186,000	112,000	3
84.061E Demonstration projects	70,000-186,000	126,000	3
84.061F Educational personnel development	46,200-280,000	167,400	13

NOTE: The Department is not bound by any estimates in this notice.

Project Period: Up to 36 months, except for Planning Projects which are limited to 12 months.

Applicable Regulations: (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 79, 80, 81, 82, 85, 86; and (b) the Indian Education—General Provisions regulations for these programs in 34 CFR parts 250, 254, and 256; and (c) the applicable program regulations in 34 CFR part 254 (Planning, Pilot, and Demonstration Projects for Indian Children) and 34 CFR part 256 (Educational Personnel Development).

Note: The regulations in 34 CFR part 79 apply to all applicants except federally recognized Indian tribes.

Priorities: The priorities in the notice of final priority for these programs, as published elsewhere in this issue of the *Federal Register*, apply to this competition.

Under 34 CFR 75.105(c)(3), the Secretary gives an absolute preference to Planning, Pilot, and Demonstration Projects that meet the following priority. The Secretary funds under this competition only applications that meet this absolute priority:

Service Integration

Projects that are designed to achieve all of the following objectives:

- (1) Coordination of educational activities with other entities, such as local educational agencies, Indian tribes, State educational agencies, or institutions of higher education;
- (2) Integration of Indian Education Act activities with educational activities supported by State, local, tribal, or other Federal funds; and
- (3) Integration of school activities with health, social or other family services.

Within this absolute priority, each planning, pilot, or demonstration project must also address one or more of the following areas:

- (1) Innovative approaches to keeping students in school until they successfully graduate (e.g., targeting dropout and attendance concerns);
- (2) Early childhood and family education; or
- (3) Strengthening instruction in the five core curriculum areas of English, mathematics, science, history, and geography, through strategies that include the development of curriculum and materials that incorporate appropriate aspects of the culture of the Indian children to be served. Projects

must address the basis for determining how the materials to be developed relate to the Indian culture.

Under 34 CFR 75.105(c)(3), the Secretary gives an absolute preference to Educational Personnel Development projects that meet the following priority. The Secretary reserves a portion of the funds available under each of the two separate competitions for this program only for projects that meet this absolute priority:

"On-site" Training To Prepare Teachers of Indian Children

The training must: (1) lead to a bachelor's degree or above, or meet the requirements for teacher certification or both; (2) be offered in a reservation or rural community, at least during the school year, in which the participants, and the schools in which they are likely to be employed, are located; and (3) involve coordination of activities with other entities, such as institutions of higher education, local educational agencies, tribal colleges, or Indian tribes.

For Applications or Information Contact: Cathie Martin, U.S. Department of Education, 400 Maryland Avenue, SW., room 2177, Washington, DC 20202-6335. Telephone: (202) 401-1902. Deaf and hearing impaired individuals may call the Federal Dual Party Relay Service at 1-800-877-8339 (in the Washington, DC 202 area code, telephone 708-9300) between 8 a.m. and 7 p.m., Eastern time.

Program Authority: 25 U.S.C. 2621 (a)(1), (b), (d), 2622.

Dated: December 2, 1991.

John T. MacDonald,
Assistant Secretary, Elementary and Secondary Education.
[FR Doc. 92-4000 Filed 2-20-92; 8:45 am]

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S. 1415/P.L. 102-246

To provide for additional membership on the Library of Congress Trust Fund Board, and for other purposes. (Feb. 18, 1992; 106 Stat. 31; 2 pages) Price: \$1.00

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